

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5893 of 2021

Arising Out of PS. Case No.-353 Year-2019 Thana- KOTWA District- East Champaran

Ashwani Kumar Singh Son Of Sugriv Singh Village Kotwa, P.S. Kotwa,
District East Champaran, Motihari

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priya Singh Daughter Of Baliram Singh Vilage Kotwa, P.S. Kotwa, District
East Champaran, Motihari

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Advocate

For the Opposite Party/s : Mr. N. Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-03-2021 Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 376, 493, 313, 506 of the Indian Penal
Code and Section 67 of the Information Technology Act.

Allegation is that by giving some intoxicant the petitioner
committed rape upon the victim, who had gone to give tuition to
children of petitioner and the petitioner also made a viral video of the
informant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The allegation of commission of rape is denied by the petitioner. In course of investigation, the police has found the case to be false and submitted final form against the petitioner. The court below has proceeded on the basis of protest-cum-complaint and taken cognizance.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Kotwa P.S. case No.353 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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