

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8689 of 2021

Arising Out of PS. Case No.-116 Year-2008 Thana- ANDHRATHARHI District- Madhubani

Anand Kumar Jha S/O Chandra Mohan Jha R/O Village Deohar, Tole Bidulia,
Ps Andhra Tharhi ,DISTRICT Madhubani

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kaushlya Devi W/O Narayan Safi R/O Village-Deohar, Tole Bhikhna, P.S-
Andhra Tharhi, District-Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kripa Nand Jha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-11-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner is apprehending his arrest in connection
with Andharatharhi P.S. case No.116/2008 registered under Section
376 of the Indian Penal Code and 3(X) of the SC & ST Act.

Allegation is that the petitioner committed rape upon the
victim.

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 petitioner has



been made accused due to mistake of fact. The police after investigation has submitted final form and subsequently a petition has been filed on behalf of the informant, where she has retracted from her earlier statement made in the F.I.R., which is Annexure 4 to the present application.

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

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani in connection with Andhratharhi P.S. case No.116/2008, G.R. No.859/2008, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

