

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17980 of 2022

Arising Out of PS. Case No.-111 Year-2014 Thana- TAJPUR District- Samastipur

RAM PARIVESH SINGH @ CHANDAN KUMAR son of Ramesh Singh
Resident of Village - Champapur Agrail (Purbari Tola), P.S. - Baligaon,
District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rupanjali Kumari Daughter of Late Mahesh Ray Resident of Village -
Mujauna, P.S. Baini O.P. District - Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 376 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the complainant
alleges that the on 22.10.2013 at about 8:00 pm she was
attending her coaching class of hindi which was taken by the
petitioner, it is next alleged that after the petitioner and the
informant came in contact of each other, the petitioner on the
pretext of marriage established physical relationship with her.



Learned counsel for the petitioner submits that victim's statement was recorded under Section 164 Cr.P.C. wherein she stated that she was taken to the house of co-accused Rakesh Singh by the petitioner where he established physical relation with her. The learned submits that since 2013 till date, nothing has happened in the case, no process under Section 82 Cr.P.C. has been issued, it is further submitted that the complainant on 27.10.2013 had given an information to the concerned S.H.O. of the police station stating therein that no such occurrence had taken place against her and the same was entered in the Station Diary Entry No. 500 of 2013 dated 27.10.2013, learned counsel next submits that thereafter by way of afterthought, the complainant initially filed a complaint on 31.10.2013 when the occurrence is alleged to have taken place on 22.10.2013 and in between 22.10.2013 and 31.10.2013 the aforesaid application came to be filed before the concerned S.H.O. which was duly entered in the station diary as aforesaid.

Learned counsel for the petitioner next submits that the informant realizing her mistake has already filed a compromise petition based on the intervention of well-wishers before the learned Trial Court and this perhaps explains that as to why the petitioner till date has not been arrested.



Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six 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 the learned trial court where the case is pending/successor court in connection with Tajpur (Waini) P.S. Case No. 111 of 2014 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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