

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20108 of 2022**

Arising Out of PS. Case No.-11 Year-2021 Thana- PARSAUNI District- Sitamarhi

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UMA CHOUDHARY @ UMA SHANKAR CHOUDHARY Son of Rajendra
Choudhary Resident of Village - Parsauni Maithwar, Police Station - Parsauni,
District - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Krishan Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-11-2022 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 Sections 376,
511 and 34 of the Indian Penal Code.

The informant alleges that on 28.01.2021 at about
9:00 PM when she was in her room, Ramesh Kumar and the
petitioner came and tried to commit rape, further, both the
accused were drunk and on alarm local villagers gathered
and caught Ramesh Kumar whereas petitioner succeeded in
escape.

Learned counsel for the petitioner submits that



petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that the petitioner has been alleged to have attempted to commit rape. Learned counsel next submits that informant is working in a nursing home and public petition was given against the nursing home as a result of which the present case came to be instituted, it is also submitted that from perusal of Annexure-3, it would manifest that informant had filed a compromise petition before the learned Trial Court and Ramesh Kumar has already been granted regular bail. Learned counsel further submits that since Ramesh Kumar has been granted regular bail, as such, no justifiable purpose would be served by sending the petitioner to jail more so when informant has already filed a compromise in the learned Trial Court itself.

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 Parsauni
P.S. Case No. 11 of 2021 subject to the conditions as laid
down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Gaurav/Harsh-

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