

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41636 of 2021

Arising Out of PS. Case No.-20 Year-2021 Thana- MAHILA PS District- East Champaran

RAJA KUMAR Son of Badri Patel Resident of village - Math Lohiyar, P.S. -
Harisiddhi, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 493, 376, 341, 323, 307/34 of the IPC and sections 4 and 6 of the Protection of Children from Sexual Offences (POCSO) Act.

The allegation against the petitioner is that he on the pretext of marriage has physically exploited the informant and thereafter refused to marry her.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. It is submitted the occurrence is of 01.01.2020 but the F.I.R. has been lodged on 15.05.2022 i.e. after a delay of three months without giving any plausible explanation for the same, which creates doubt about the prosecution case. It is further submitted that the victim/informant has pressurized the petitioner to marry her and when the petitioner refused to the same, then she has filed this false case, implicating him.

Learned APP for the State opposed the prayer for anticipatory bail and submits that victim has supported the prosecution case in her statement recorded u/s 164 Cr.P.C.

Having regard to the facts and circumstances of the case, since the victim has supported her case in the statement u/s 164 Cr.P.C., I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is rejected.

The instant application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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