

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44235 of 2021

Arising Out of PS. Case No.-39 Year-2020 Thana- MAHILA P.S. District- Lakhisarai

PAWAN DAS @ PAWAN RAVIDAS S/o Rajendra Das @ Rajendra Ravidas
Resident of Village- Navinagar Cham Toli, P.S. and District- Jamui, Present
Address- Palam Bihar Gali No. -12 Sector No. -05 House Owner Kanta Devi,
W/o Navin Gurugaon, P.S. and District- Gurgaon (Haryana).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bharti Devi W/o Santosh Das, D/o Bhimdeo Ravidas Resident of Village-
Bolapur, P.S.- Halsi, District- Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Raju
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-04-2022 Heard the parties.

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 in connection with Lakhisarai Mahila P.S. Case No.39/2020, registered for the offence punishable under Sections 420/376/34 of the Indian Penal Code.

The allegation against the petitioner is that he has committed rape upon the complainant and thereafter started to blackmail her. It is further alleged that the complainant and the



petitioner left their house and started to live in Gurgaon, where also illegal relationship was established.

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 due to oblique motive. There was a consensual relation between them and the question of forceful physical relation did not arise. The occurrence took place in the year 2019 but the F.I.R. has been lodged after one year, which shows the falsity of the prosecution case. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that on the pretext of marriage, such relationship was established and later on petitioner refused to marry the informant.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for anticipatory bail to the petitioner named above is rejected.

This application is accordingly dismissed.

However, petitioner is directed to surrender before the learned Court below and the learned Court below would pass the order, in accordance with law.

(Anjani Kumar Sharan, J)

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