

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46511 of 2021**

Arising Out of PS. Case No.-46 Year-2012 Thana- BATH District- Bhagalpur

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AMIT RANJAN @ AMIT KUMAR , aged about 31 years, Gendr-Male, son
of Vinay Mandal, resident of village-Barhara, P.S.-Bath, District-Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Adv.
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 03-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 376 and other
sections of the Indian Penal Code.

As per the prosecution case, the petitioner
committed rape on the daughter of the informant and
subsequently refused to marry.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. Even
from the contents of the F.I.R. it would transpire that there was
love affair between the parties and the petitioner has been
subsequently impleaded in the case with false and malicious
allegations. The informant and the petitioner have married
different persons and are leading peaceful life. He is in custody



since 10.12.2020 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State who submits that the F.I.R. was registered in the year 2012 and inspite of cognizance having been taken on 24.8.2013 the petitioner was taken into custody only on 10.12.2020.

A report was called for from the learned trial Court and as per the report contained in letter dated 16.2.2022, 18.2.2022 is the date fixed for framing of charge.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having absconded for nearly 8 years, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail in case there is no progress in the trial in six months.

(Partha Sarthy, J)

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