

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38734 of 2022

Arising Out of PS. Case No.-106 Year-2021 Thana- MAHILA PS District- Darbhanga

RAMSEVAK BHAGAT Son of Lal Bihari Bhagat Resident of village- Kokat,
P.S. - Bahadurpur, (Patar O.P) District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Devi Wife of Dharmdas Baghat Resident of village - Kokat, P.S.-
Bahadurpur (Patar O.P.) District- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushalesh Choudhary, Advocate
For the Opposite Party/s : Ms. Renuka Ratnakar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 376, 323
and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that she resides with her
children in the village as her husband works at Hyderabad. It is
alleged that six months back, she was raped by Madan Bhagat
and thereafter he continued to rape her regularly. Further, on



14.10.2021, in the night, Madan Bhagat entered her house and raped her and despite alarm no one came to save her. In the next morning, she was brought before the Panchayat where she was assaulted with danda but was saved by Mohan Bhagat. Further, she informed her husband who came thereafter FIR was instituted.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that the allegation of rape is against Madan Bhagat. It is next submitted that as far as this petitioner is concerned, allegation against him is general and omnibus in nature. It is also submitted that Madan Bhagat has already been granted regular bail by a Coordinate Bench of this Court vide order dated 05.05.2022 passed in Cr. Misc. No. 11378 of 2022.

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 Court below 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 court below where the case is pending/successor court in connection with Darbhanga Mahila P.S. Case No. 106 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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