

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52698 of 2021

Arising Out of PS. Case No.-71 Year-2020 Thana- PHULWARISHARIF District- Patna

Ranjan Thakur @ Annu, S/o Sri Keshav Thakur Resident of Village-
Biranchak, P.S.- Janipur, District- Patna.

... .. 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. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-04-2022 Heard learned counsel for the parties.

The petitioner is in judicial custody from 02.02.2020 in connection with Phulwarisharif P.S. Case No.71 of 2020 lodged on 01.02.2020 punishable under Sections 341, 323, 376, 379, 504/34 of the Indian Penal code.

The informant is related to the petitioner being her sister-in-law. She had gone to the petitioner's place for '*Jharphook*' for her son. Her sister-in-law asked her to stay in the night which she accepted. She alleges that the petitioner took her to a nearby field and raped her. She further alleges that the ornaments were also snatched from her. This led to institution of the case in hand.

Learned counsel for the petitioner submits that they are related to each other and it was due to enmity that she has accused him of rape, which never happened. He has further



taken this Court's attention to the medical report of the informant to show that no rape was committed and he lastly contended that being in jail for more than two years, he may be enlarged on bail.

Taking into account the fact that the charge sheet has already been submitted in the case and as such there is no question of tampering with the evidence and the petitioner is in custody for last two years, let the petitioner be released on bail on furnishing bail bond of Rs.25,000/-(twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge,IXth-cum-A.C.J.M., Patna in connection with Phulwarisharif P.S. Case No.71 of 2020 with the following conditions:

(i) he shall co-operate in the trial pending before the trial court and failure to do so for two consecutive dates without plausible reason; his bail bond shall liable to be cancelled by the Trial Court itself;

(ii) he shall in no way induce, promise or threaten the informant or any of the witnesses related to the case in hand;

(iii) till the trial is concluded, he shall in no way meet the informant or her family members or any of the witnesses of the case;



(iv) failure to abide by any of the conditions laid down while being released on bail, the State shall be at liberty to take steps for cancellation of his bail.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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