

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55720 of 2021

Arising Out of PS. Case No.-81 Year-2020 Thana- MAHILA P.S. District- Madhubani

Anil Kumar Chaudhary S/O Deo Narayan Chaudhary R/O Village- Jagatpur,
P.S.- Rahika, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-10-2022 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State assisted by

learned counsel for the informant.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office
will place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 376 and
34 of the Indian Penal Code.

It is alleged that on 25.07.2020 informant had gone
to chowk for purchasing household articles and when she was
returning, the accused and one another person caught hold her
on his motorcycle, tied her mouth with a handkerchief when



she tried to raise hulla. It is alleged that some intoxicating things was in the handkerchief due which she gone senseless. They taken her to outside the village where they committed rape. When she came in her sense they threatened that if she raised hulla they will viral her illicit photographs.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the occurrence took place on 25.07.2020 and F.I.R. lodged on 09.10.2020 after delay of 47 (forty-seven) days without assigning any plausible or cogent reason for the said delay. It is submitted by the learned counsel for the petitioner that petitioner has filed an Informatory Petition before the learned Chief Judicial Magistrate, Madhubani bearing no.306 of 2020 stated therein that he may be implicated by the informant in any case and he also mentioned that the informant pressurized the petitioner for the marriage. He further submits that petitioner has one criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the informant has supported the prosecution case in toto in her statement made under Section 164 Cr.P.C



hence the petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Mahila P.S. Case No. 81 of 2020. Accordingly his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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