

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2913 of 2022**

Arising Out of PS. Case No.-75 Year-2021 Thana- KIUL District- Lakhisarai

RAJEEV MANDAL @ RAJEEV KUMAR SON OF LATE SAKALDEO  
MANDAL @ LATE SHAKALDEV MANDAL R/O VILLAGE- RAMSIR,  
P.S.- KIUL, DIST.- LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                          |   |                                  |
|--------------------------|---|----------------------------------|
| For the Petitioner/s     | : | Mr. Md. Irshad, Advocate         |
| For the Opposite Party/s | : | Mr. Narendra Kumar Singh, A.P.P. |
| For the Informant        | : | None.                            |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      16-08-2022                      No one appears on behalf of the informant.

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 341, 323,  
354, 354(A), 354(B), 379, 504 and 448/34 of the Indian Penal  
Code.

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

The informant alleges that on 28.07.2021 at about  
01:30 p.m. her neighbour Sumitra Devi and Babita Devi and the  
petitioner under a conspiracy entered into her house and started



abusing and on protest Sumitra Devi gave order to the petitioner to outrage her modesty then the petitioner torn her Saree and Blouse and she became semi necked. It is alleged that when informant tried to flee, the petitioner dashed her on the ground and thereafter even snatched her earring worth Rs.25,000/-. It is alleged that prior to the present occurrence, the petitioner had also tried to commit rape for which a Panchayati was also held and when petitioner refused to acknowledge the Panchayati, the present case came to be instituted.

Learned counsel for the petitioner submits that from bare perusal of the allegation, it would manifest that the date of occurrence is 28.07.2021 and the FIR has been instituted on 01.08.2021, this in itself demonstrates that by way of afterthought, the present FIR came to be instituted with false allegation. It is further submitted that petitioner was trying to pacify the dispute between Sumitra Devi, Babita Devi and the informant but the informant instituted the present case out of anger. It is next submitted that it absolutely does not stand to reason that an attempt to commit rape was made, the informant instead of approaching the police, approached the Panchayat. It is, thus, submitted that if the informant could have approached the Panchayat then definitely she could have approached the



police in time. It is further submitted that even the FIR does not disclose any motive or reason for the occurrence.

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 Kiul P.S. Case No. 75 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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