

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2055 of 2023

Arising Out of PS. Case No.-188 Year-2022 Thana- PARIHAR District- Sitamarhi

JAY PRARKASH MANDAL @ JAI PRAKASH MANDAL SON OF
BINOD MANDAL R/O VILLAGE- BARAHI, WARD NO.8, P.S.-
PARIHAR, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar Narain Singh, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Parihar P.S. Case No.188/2022, registered for the offence
punishable u/s 376, 511 and 504/34 of the IPC.

The allegation against the petitioner is that he committed
rape upon the victim and threatens to load the said occurrence
on social media.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to prior enmity. No
such occurrence, in the manner as alleged, has ever taken place.
The alleged occurrence is said to have taken place on



14.07.2022 but the F.I.R. was lodged on 20.07.2022 i.e. after six days, without giving any plausible explanation, which creates doubt about the prosecution case. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner.

Having regard to the facts and circumstances of the case, considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is rejected.

This application is accordingly dismissed.

However, if petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass the order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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