

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11900 of 2023

Arising Out of PS. Case No.-339 Year-2022 Thana- BOCHAHAN District- Muzaffarpur

MANISH RAJ @ GOLU KUMAR Son of Lal Babu Thakur R/v- Paranti,
P.S.- Bochahan, District- Muzaffarpur. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hari Kishore Thakur, Advocate
For the State	:	Mrs. Shaheen Begum, APP
For the Informant	:	Kumari Sujata Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State assisted by learned counsel for the

informant.

The petitioner apprehends his arrest in Bochahan
P.S. Case No. 376/34 registered for the offences punishable
under Section 376/34 of the Indian Penal Code and Section 4 &
6 of the POCSO Act pending in the Court of learned A.D.J.-
cum-Special Judge POCSO Act, Muzaffarpur.

While the informant had gone to take grass for the
cattle, the petitioner is said to have committed rape against her
and promised to marry her and also warned not to disclose the
matter to anyone otherwise she will be killed.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He has been
falsely implicated in this case due to previous enmity and dirty



village politics. As a matter of fact, the petitioner was in love with the informant and there was consensual relation between them and both are major. It is further submitted that there is inordinate and abnormal delay of six months without assigning any plausible and convincing reason for the said delay. The petitioner has no criminal antecedent.

Learned APP for the State assisted by learned counsel for the informant vehemently opposing the bail petition submitted that considering the nature of the allegation, the petitioner does not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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