

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16165 of 2023

Arising out of PS. Case No.-1629 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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RAJ KUMAR BHAGAT S/o- Atma Bhagat Resident of Village- Mamrakha
Bhaiya Tola PS- Mlahi Dist- E. Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjani Kumari @ Rajani Kumari D/o- Surendra Sahani Resident of
Village- Husaini Ward- 9 Ps- Dumarighat, Dist- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-05-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 1629 of 2022 (Trial No. 766 of 2022), registered for the offences punishable under Sections 341, 323, 354(B), 372, 373, 504, 506/34 of the Indian Penal Code.

The case of the prosecution, in brief, as per the complaint petition is that the co-accused person, namely, Meena Devi, was married to the father of the complainant namely, Surendra Sahani, however, after three children were born



out of the said wedlock, the said Meena Devi had left the father of the complainant in the year 2021 and had fled away with some other person. Thereafter, the complainant started living with her aunt, namely, Ranju Devi at her house at Singha, P.S. Harsidhhi. After sometime, the aforesaid Meena Devi had rang the aunt of the complainant namely, Ranju Devi and told her to send her daughter i.e. the complainant herein to her place, whereafter she would come back to stay along with father of the complainant. It is further alleged that on 25.06.2022, the complainant had gone to her maternal uncle's house, namely, Ravish Pandey which was situated at Huseni Kasba Tola. It is further alleged that after she had gone to her maternal uncle's house, all the accused persons had locked the complainant in the house and had started beating her. It is also alleged that the petitioner had then engaged in unnatural misbehaviour with the complainant and told the complainant that his aunt and uncle had sold her to him for rupees one lakh for the purposes of



dancing in the orchestra party, hence she should accompany her, whereafter the petitioner had tried to establish physical relationship with the complainant aged about 15 years, however, somehow the complainant had escaped from the said place and gone to her aunt's house.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that the petitioner had never tried to outrage the modesty of the complainant and a false and concocted story has been cooked up with oblique motives.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact



that a *prima facie* case is definitely made out against the petitioner herein, for the offences alleged, as is born out from the records, I am not inclined to grant the privilege of anticipatory bail to the petitioner herein, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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