

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18595 of 2023

Arising Out of PS. Case No.-46 Year-2022 Thana- BELCHHI District- Patna

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SHOSHAN KUMAR SON OF LATE MANI RAM RESIDENT OF
MOHALLA - PURANDERPUR, DEVI STHAN GALI, P.S. - JAKKANPUR,
DISTT. - PATNA, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagjit Roshan
For the Opposite Party/s : Mr. Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-07-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 354, 376, 509 of the
Indian Penal Code.

3. The prosecution case, in short, is that, the husband of the
informant died in the year 2020 due to corona. After the death
of her husband, she was living with her sister with all her
daughters. During this period she met the petitioner and he
proposed her for marriage and also promised to take care of her
daughters. It is alleged that on the promise of marriage, he
made physical relationship with the informant for ten months



and later on denied to marry her.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioner. The informant and the petitioner are distant relatives and known to each other. There is no evidence of any physical relation between the petitioner and the informant. It is also submitted that there is no medical examination report and statement of victim recorded u/s 164 of Cr.PC on record. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no medical examination report and statement of victim recorded u/s 164 of Cr.PC on record, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Belchi P.S. Case No.46 of 2022, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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