

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23382 of 2023

Arising Out of PS. Case No.-397 Year-2022 Thana- LADANIA District- Madhubani

CHANDESHWAR SINGH @ CHANDRA SHEKHAR SINGH @ DEEPAK
KUMAR @ CHANDESHWAR MAHTO son of Ram Ashish Singh @
Ramashish Mahto Village- Khanna PS- Babubarhi Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 363,
366A, 376, 420/34 of the Indian Penal Code and under Section
4 of the POCSO Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that his minor daughter (17 years) on 21.12.2022 had
gone out of the house and when she did not return, a search was
made thereafter on 22.12.2022, the victim came back and
disclosed that Satish and Nitish on promise of marriage took her
to their maternal uncle's (petitioner) house and Satish



committed rape.

4. Learned counsel for the petitioner next submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner is maternal uncle of Satish and it absolutely does not stand to reason that he would have permitted Satish to commit the occurrence of rape in his house. It is further submitted that since Satish and the victim were in love, as such they had fled, but later victim came back and in order to pressurize Satish, the present false case of rape came to be instituted alleging that the victim was taken to the house of the petitioner. It is also submitted that the F.I.R. does not even remotely suggest that the petitioner in any way was involved in the occurrence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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 trial court 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 trial court where the case



is pending/successor court in connection with Ladaniya P.S.
Case No. 397 of 2022 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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