

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25513 of 2023

Arising Out of PS. Case No.-13 Year-2022 Thana- MAHILA PS District- Jamui

SINTU KUMAR Son of Suresh Yadav R/V- Domath PS- Jhajha Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 14-07-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Mahila Police Station Case No. 13 of 2022, dated 04.03.2022, disclosing offences punishable under Sections 376/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 26.02.2022, at about 3 pm, while the informant, aged about 14 years, was laying cow dung in her agricultural field, the petitioner arrived there, caught hold of her and forcibly committed rape upon her and when the informant raised alarm, her uncle, Satan Yadav, came there and then the accused persons fled away from the place of occurrence.



4. Learned Counsel for the petitioner submits that the petitioner, along with others, have falsely been implicated in this case due to land dispute between the father of the petitioner and the father of the informant. He further submits that the details of the land is mentioned in paragraph 8 of this application as Khata No. 24, Khesra Nos. 544, 509, 469 and 470. He further submits that there is series of litigation pertaining to the land between the parties and the police, after completion of investigation, found the allegation of rape against the petitioner as untrue and submitted charge sheet only under Sections 354 and 506 of the Indian Penal Code.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the previous land dispute between the parties and the fact that the police, after completion of investigation, submitted charge sheet only under Sections 354 and 506 of the Indian Penal Code after arriving at the finding that the allegation of rape against the petitioner is untrue, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.



7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Jamui, in connection with Mahila Police Station Case No. 13 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

