

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25696 of 2023

Arising Out of PS. Case No.-144 Year-2022 Thana- NIMACHANDPURA District- Begusarai

RAKESH KUMAR @ RAUSHAN Son of Ramesh Kumar Resident of
village - Ajhour, ward no. 4, P.S - Nimachandpura, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-07-2023 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Nimachandpura Police Station Case No. 144 2022,
dated 14.12.2022, disclosing offences under Sections
341/354(A)/354(D)/509/504/506/379/384/385/353 of the Indian
Penal Code.

The prosecution case, on the basis of the First
Information Report, is that the informant who is working as
Gramin Awas Sahayak (Rural Housing Assistant) posted at
Gram Panchayat Rai under Begusarai Block has alleged that the
petitioner used to stop and pass unwarranted remarks upon her
and on 13.02.2022, while the informant was coming towards her
office, she was intercepted by the petitioner on motorcycle and



he started touching the informant with bad intention and upon protest being made by the informant, the petitioner snatched the golden chain from the informant.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case with oblique motive inasmuch as the petitioner had lodged a complaint before the Block Public Redressal Officer, Begusarai under Bihar Public Complaint Redressal Forum, Begusarai against the informant on 07.08.2022 regarding bribe being demanded by the informant from the beneficiaries of the Ajhour Gram Panchayat. It has further been argued by learned counsel for the petitioner that on 15.07.2022, the Mukhiya and Up-mukhiya Gram Panchayat Raj Ajhour as well as the ward members made a complaint to BDO, Begusarai against the informant alleging that she used to demand bribe from the beneficiaries of Ajhour Gram Panchayat and at the behest of the informant, the BDO, Begusarai on 13.12.2022, threatened the petitioner from his mobile no. 7543040466, auto recording of which is kept reserved by the petitioner. Thereafter, First Information Report has been lodged by the informant on 13.12.2022.

Regards being had to the submissions made on



behalf of the parties and taking into consideration the fact that the petitioner has lodged a complaint on 07.08.2022 against the informant alleging the bribe being demanded by the informant from the beneficiaries, and subsequently present First Information Report has been lodged accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 Judicial Magistrate 1st Class, Begusarai, in connection with Nimachandpura Police Station Case No. 144 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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