

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38951 of 2023

Arising Out of PS. Case No.-12 Year-2020 Thana- MAHILA P.S. District- Banka

Chitranjan Tanti S/O Nemani Tanti R/O Vill. Chhoti Malti PS. Rajoun, Dist.
Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 13-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has rewed his prayer for grant of regular bail in connection with Banka(Mahila) P.S. Case No. 12 of 2020 registered for the offences punishable under Sections 376, 341, 323/34 of the Indian Penal Code, which was earlier rejected vide order dated 23.03.2021 passed in Cr. Misc. No. 38386 of 2020.

As per FIR, on pretext of marriage, petitioner had established physical relation with the informant resulting into her pregnancy. It is further alleged that petitioner has later on refused to marry her.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case due to dirty



village politics. No supportive document is annexed with the petition to support her pregnancy. Victim is major and as per medical report, her age is about 18 years. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is also submitted that petitioner is languishing in judicial custody since 04.04.2020.

In compliance of the order dated 17.08.2023, a status report dated 03.08.2023 by Additional District and Sessions Judge-I, Banka has been received by this Court in which it is mentioned that the said case is pending for evidence. No any prosecution witnesses appeared before the court and said case may be concluded within one year.

It is also submitted that petitioner has got no criminal antecedent and he is languishing in judicial custody since 04.04.2020. There is no hope to conclude the trial of the petitioner in near future. He will co-operate and present in every date before the trial court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the



petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Banka (Mahila) P.S. Case No. 12 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka.

(Sunil Kumar Panwar, J)

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