

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39387 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- MAHILA P.S. District- Samastipur

Santosh Kumar @ Santosh Kumar Sahni Son Of Ramashish Sahni Resident
Of Village-Amarsthan Korbaddha, Police Station-Muffasil, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-08-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Samastipur Mahila P.S. Case no. 8 of 2023 registered under sections 376, 341, 420, 504, and 506 of the Indian Penal Code and section 67A of the I.T Act.

3. As per the prosecution case, the informant states that the petitioner who happens to be a compounder, on the pretext of treating her, gave her an injection and on her losing consciousness committed rape on her. Thereafter, the petitioner is said to have threatened the informant of making the video of the occurrence viral on social media and of having continued to sexually exploit her.



4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is an unexplained delay in lodging of the F.I.R. While the informant who is more than 32 years old and himself runs a beauty parlour shop, the petitioner is aged only 20 years. It has come during course of investigation that no video was made viral. It is a case of honey trapping by the informant. The petitioner has no criminal antecedent.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R., wherein direct allegation has been made by the informant on the petitioner of having committed rape on her, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

7. The petitioner is directed to surrender in the Court below within a period of four weeks.

(Partha Sarthy, J)

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