

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41351 of 2023

Arising Out of PS. Case No.-648 Year-2022 Thana- MADANPUR District- Aurangabad

GANESH CHOUDHARY son of Keswar Choudhary Village- Araruwa Khurd
Po Ps- Hariharganj Dist- Palamu Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

For the Informant : Mr. Akhilesh Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-08-2023

1. Heard learned counsel for the petitioner, learned

counsel for the informant and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Madanpur P.S. Case No. 648 of 2022 registered for the offences punishable under Sections 341, 323 and 376 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that Sumant raped her and fled but after sometimes, petitioner with uncle of Sumant came and assaulted.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that allegation of rape is against Sumant and the



petitioner, who is uncle of Sumant, came to be implicated merely because he is related to Sumant, it is further submitted that even the allegation of assault is ornamental in nature.

5. Learned A.P.P. for the State and the learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner but are not able to rebut the submission of the learned counsel for the petitioner that the petitioner is uncle of Sumant.

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 Court below 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 court below where the case is pending/successor court in connection with Madanpur P.S. Case No. 648 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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