

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40596 of 2023

Arising Out of PS. Case No.-547 Year-2022 Thana- KANTI District- Muzaffarpur

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1. PAYAL MALIK DAUGHTER OF PARESH MALIK RESIDENT OF VILLAGE -NANDA , PS- SINGUR HOOGLY WEST BENGAL 712124
 2. RAHUL KUMAR SON OF SUNIL KUMAR RESIDENT OF VILLAGE -MIRJAPUR, PO- SRISIYA, MIRZAPUR, MUZAFFARPUR, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirvan Choudhuri, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 10-08-2023 1. Heard Mr. Anirvan Choudhuri, learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 376, 511, 328 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner No. 1 is a woman, and the informant alleges that petitioners tried to rape her friend Shivani Karmakar by giving intoxicated Maaza Cold drink.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation is not of rape but of



attempt, it is next submitted that petitioners and the informant alongwith Shivani are working in Golokan Hospital, Muzaffarpur and on account of dispute the present false case came to be instituted. It is next submitted that on intervention of well-wishers the case has been compromised, as would be evident from Annexure-2 to the anticipatory bail application.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kanti P.S. Case No. 547 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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