

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45261 of 2023

Arising Out of PS. Case No.-116 Year-2023 Thana- PUNAURA District- Sitamarhi

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Anil Pandit Son Of Yugal Pandit Residents Of Village Khairwa Police Station
Punaura District Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 376 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioner being tutor of informant's children forcefully raped her and blackmailer her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that from perusal off FIR it is clears that petitioner has used to torture the informant physically since seven months back but no complain has been made by her either to the concern police station or at anywhere and lastly the occurrence took place on 24.03.2023 at the Naihar of the informant but no case has been lodged and after expiry of about one and half months of the last occurrence present case has been lodged with false and fabricated story. He submits that the petitioner used to



give tuition to the children of the informant since two years back but since eight months back she was not making payment of tuition fee which is the only source of his living hood as such he made demand of his dues amount and lastly due to non-payment of his dues amount he refused to give tuition to her children as a result present case has been lodged against him. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances and the fact that there is delay of filing of the present FIR, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Punaura P.S. Case No.116/2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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