

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50212 of 2022

Arising Out of PS. Case No.-80 Year-2022 Thana- MAHILA P.S. District- Patna

Sanjay Kumar @ Sanjay Singh Son Of Chandrika Prasad Singh Resident Of
Muhalla- C/162, Police Colony, P.O- Anisabad, P.S- Gardanibagh, Dist- Patna
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd Singh, Sr. Adv.
Mr. Surendra Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 21-02-2023 Heard learned senior counsel for the petitioner and
learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects, if any, within three weeks.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 376 of the
Indian Penal Code.

Petitioner is said to have committed rape upon the
informant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that the father of the petitioner told the father
of the prosecutrix to vacate the house since November, 2021
who were living more than 7 years so in conspiracy, this false
case has been instituted. He submits that prosecutrix is 45 years
old, her husband left her in the year 2017 and she is contesting



divorce case with her husband and in depression, she lodged the present false case. He submits that the prosecutrix denied her medical check up so there is no evidence of rape. He submits that occurrence took place on 08.06.2022 but the FIR has been lodged on 18.06.2022 after delay of 10 days without explaining any reasonable cause of delay. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is delay in lodging the FIR, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five 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 Mahila P.S. Case No. 80 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

devendra/-

U		T	
---	--	---	--

(Anjani Kumar Sharan, J)

