

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51601 of 2022**

Arising Out of PS. Case No.-14 Year-2022 Thana- MAHILA P.S District- West Champaran

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DHANANJAY RAO S/o Anil Rao Resident of Village - Sirsiya, P.S.-  
Bhairoganj, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

3      07-02-2023                      Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any, within a  
period of three weeks from today.

Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case  
registered for the offences punishable u/s 341, 323, 354, 376, 504  
and 506/34 and later on added sections 302, 120B, 201/34 of the  
Indian Penal Code.

As per the prosecution case, the co-accused caught hold  
of the informant from behind and committed rape on her forcibly.  
When the informant threatened to disclose the matter to her  
parents, the co-accused promised to marry her. Thereafter, the  
co-accused made physical relationship with the victim many



times on the background of false promise to marry. The victim got information that the co-accused Pappu Singh was going to marry with another girl, she along with her family members came to the house of Pappu Singh and raised voice against the marriage then the co-accused Pappu Singh and other co-accused persons started abusing the family members of the informant. Sindhu devi, sister-in-law of the victim opposed, the co-accused Uday Pratap Rao caught hold of her and brought her in a room and tried to outrage her modesty and the co-accused Baldev Rao also pointed gun on the breast of the informant's mother and threatened to go away from there. The co-accused Sushil Rao slammed the informant's *mausi* Lalti Devi and threatened to go away from there.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up on the confessional statement of the co-accused Pappu Yadav who has stated the *modus operandi* as to how the occurrence took place with the association of other co-accused persons. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed



the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bagaha, West Champaran in connection with Bagaha (Mahila) P.S. Case No. 14 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with following condition:-

1. The court below shall verify the criminal antecedent of the petitioner and at any stage, if it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

**(Chandra Prakash Singh, J)**

guddukr/-

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