

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54301 of 2022

Arising Out of PS. Case No.-550 Year-2021 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Ranjay Singh @ Ramanji @ Ranjay Kumar Singh Son Of Daya Ram Singh
R/O Village- Lagma, P.S.- Singhia, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kaushilya Devi Wife Of Raju Manjhi R/O Village- Lagma, P.S.- Singhia,
District- Samastipur.

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs. Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-01-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner apprehends his arrest in connection
with C.R. No.550 of 2021 instituted under Sections 341,323,376
and 504 of the Indian Penal Code.

As per the complaint, the lady alleged that she
returned after giving household work when the petitioner was
waiting at her door and after pulling her down, he committed
rape, in the process she was also abused. The further allegation



is that earlier also on two occasions, he had committed rape but she did not disclose it to anyone and/or took legal steps. Accordingly, the complaint was lodged.

Learned counsel for the petitioner submits that the matter is very different inasmuch as he had given a loan of Rs.50,000/- and was insisting for the return of the amount and infuriated by that the present complaint was lodged. It is further submission that although the lady had complained of rape, in the cognizance order only Section 323, 354, 504/34 have been incorporated. In that backdrop, as he does not have criminal antecedent, he deserves anticipatory bail.

Dr. Indihar Kumari, learned APP vehemently opposes the prayer for anticipatory bail stating that he got the excuse only because there was no medical report that does not mean that the entire allegation is false inasmuch as she had suffered injury in her ear which was treated and in that backdrop he does not deserve bail.

Taking into account the kind of allegation, in the opinion of the court this is not a fit case for extending the benefit of anticipatory bail and is accordingly rejected.

If the petitioner surrenders before the concerned court within four weeks and files bail petition annex the relevant



document to convince the concerned court regarding falsity of the case, the same shall be taken into consideration and dispose it of expeditiously without being prejudiced by any observation made herein.

(Rajiv Roy, J)

Prakash Narayan /
Ajay Singh

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