

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58752 of 2022

Arising Out of PS. Case No.-181 Year-2022 Thana- KAHALGAON District- Bhagalpur

NITISH RANJAN S/o Raghunath Paswan R/o Purab Tola, Ward no. 15 (Near
ICICI Bank), P.S.- Kahalgaon, Distt- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar Singh

For the Opposite Party : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 16-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 376, 506 and 34 of the Indian Penal Code.

Allegation against the petitioner is that he demanded dowry from the informant.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that, on bare perusal of the FIR, there is no specific date, place and manner of the alleged occurrence committed by the petitioner. He submits that F.I.R.



has been lodged by the informant by inordinate and abnormal delay of 9 months without giving any plausible and cogent reason for the said delay, which creates serious doubt about the prosecution case. It is further submitted that the conduct of the informant is always suspicious and she is in habit of falsely implicate the persons and staffs of her workplace in allegation of outraging her modesty, which is evident from Annexures-5 & 6 to this application. Earlier, the informant had executed a compromise with one Dr. Sachin Kumar in which she has admitted a relationship between herself and Dr. Sachin Kumar. Accordingly, it is submitted that the conduct, nature and character of the informant is not fair. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for bail.

Having regard to the facts and circumstances of the case as well as the previous conduct of the informant, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Kahalgaon P.S. Case No. 181 of 2022. subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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