

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56600 of 2023

Arising Out of PS. Case No.-324 Year-2021 Thana- AMAS District- Gaya

Deepak Kumar @ Deepak Chaudhary Son Of Badri Chaudhary Resident Of
Village - Kathak Bigha, P.S. - Amas, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in Amas P.S.
Case No. 324 of 2021 registered for the offences punishable
under Sections 354(A), 354(B), 448 of the Indian Penal Code
pending in the Court of learned Judicial Magistrate 1st Class,
Sherghati at Gaya.

3. As per the prosecution case, allegation against
the petitioner is that he sexually assaulted the victim and on
previous occasion also he passed indecent remarks on the
victim.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. He submits that the informant is a major girl, aged about 21 years and the petitioner is also of the same age group and there was affair between them and on fitful day the parents of the informant have seen the petitioner and the informant talking with each other and then on social pressure the informant has registered the instant case, with a view to save her skin in the society. The petitioner has no criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the statement of the victim was recorded u/s 164 of the Cr.P.C., in which she has supported the prosecution case. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the statement of the victim u/s 164 of the Cr.P.C., I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

anand/-

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

