

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61892 of 2023**

Arising Out of PS. Case No.-309 Year-2021 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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SANJAY KUMAR @ SANJAY TANTI S/O YOGENDRA TANTI R/O
VILLAGE- MANSI GHARARI, P.S- MUFFASIL, DISTT.- KHAGARIA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. PRIYANKA KUMARI W/O BABLOO TANTI R/O VILLAGE- MANSI
GHARARI, P.S- MUFASSIL, DISTT.- KHAGARIA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr.Arvind Kumar Pandey (A.P.P)

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 448, 376, 506, 379 IPC.

3. Allegedly, the petitioner is said to have committed rape
upon the complainant and when on the next day, she went to the
house of the accused for making complain, he abused and
dragged her away. Thereafter, on 01.05.2021, the F.I.R. named
accused persons came armed variously and assaulted her.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and have committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. The alleged occurrence is said to have taken place on 30.04.2021 but the complaint case has been filed on 24.08.2023 i.e. after more than four months without giving any plausible explanation regarding the delay, which itself creates doubt about the prosecution case. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and considering the delay in lodging the complaint, the above named petitioner, be released on bail, in the event of his/her 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 Complaint Case No.309C/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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