

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70640 of 2022**

Arising Out of PS. Case No.-153 Year-2021 Thana- GAYA COMPLAINT CASE District-
Gaya

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RANJIT KUMAR CHAUDHARY @ DUKHAHARAN CHAUDHARY @
RANJEET KUMAR SON OF RUPLAL CHAUDHARY R/O VILLAGE-
DEORA, P.O.- USAS, P.S.- KONCH, DISTRICT- GAYA

... .. Petitioner/s

Versus

1. The State of Bihar
2. RITA DEVI WIFE OF MANOJ KUMAR CHAUDHARY R/O VILLAGE-
DEORA, P.O.- USAS, P.S.- KONCH, DISTRICT- GAYA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tabish Sharfuddin, Adv.
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 24-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Though, the notice has been validly served upon the
opposite party no.2, but nobody appears on her behalf.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 354, 509 and 511 of
the Indian Penal Code.

Allegedly, petitioner is said to have tried to commit rape
with the complainant.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. Both
the parties are neighbours. No such occurrence as alleged ever



took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is inordinate and abnormal delay of seven days in filing the complaint petition without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Although in the complaint petition, the complainant has stated that she went to Konch Police Station and narrated the entire occurrence to Officer In-charge of the Police Station, but the Officer In-charge of the Police Station had not registered any case against the accused. Then, she filed the complaint petition before the Court of C.J.M., Gaya. The statement of the independent witnesses has not been recorded yet. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioner is serious in nature, hence he does not deserve anticipatory bail.

Having regard to the facts and circumstances of the case, as there is delay in filing the complaint petition, 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 Complaint P.S. Case No. 153 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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