

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66923 of 2022

Arising Out of PS. Case No.-155 Year-2022 Thana- DURAULI District- Siwan

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Anil Gond @ Anil Kumar Gond, S/o Arjun Gond, Resident of Village- Daralli
Mathiya (Pakadi Par), P.S.- Dralli Mathia, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishore Prasad, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-04-2023 Heard learned counsel appearing on behalf of the pe-

titioner and learned Additional Public Prosecutor appearing on

behalf of the State.

Let the defect(s), as pointed out by the office, be re-
moved within a period of four weeks from today.

The accused/petitioner is named in the F.I.R. and ap-
prehends his arrest in connection with Daruli P.S. Case No. 155
of 2022 registered for the offences punishable under Sections
417 and 376 of the Indian Penal Code.

The allegation against petitioner is to commit rape
upon informant on false pretext of marriage.

Learned counsel appearing on behalf of the petitioner
submitted that the present FIR was lodged after eight months of
alleged occurrence which in itself sufficient to suggest that im-



plication is the result of an after thought just to counter the matrimonial litigation pending between the sister of the informant and brother of petitioner. It is also pointed out that statement of victim under Section 164 of Cr.P.C. was recorded after one month of the occurrence. It is further submitted that as marriage of petitioner with informant could not negotiated due to certain family reason/compulsions, present false implication was raised. It is also submitted that no medical report is available on record in support of allegation as raised to cause miscarriage. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

Learned APP while opposing the prayer of bail submitted that allegation of rape and causing miscarriage is specific against this petitioner.

Considering the aforesaid facts and circumstances, as allegation of rape and miscarriage against this petitioner appears specific, the prayer of anticipatory bail of this petitioner is rejected herewith.

(Chandra Shekhar Jha, J)

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