

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14252 of 2024

Arising Out of PS. Case No.-69 Year-2023 Thana- MAHILA P.S. District- Samastipur

RAJESH KUMAR SON OF BIPAT DAS @ VIPAT DAS RESIDENT OF
VILLAGE - CHAND CHAUR, MATHURAPUR, P.S. - UJAIYARPUR,
DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Raj

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Samastipur Mahila P.S. Case No.69 of 2023, registered for the
offence punishable u/s 376, 341, 323, 354(b), 504, 506 of the
IPC, 1860.

3. Allegedly, the petitioner, on the pretext of marriage,
established physical relationship with the informant and later on
solemnized marriage with another girl and when the marriage
alliance of the informant was going to fixed somewhere, the
petitioner came and took her to maize field and tried to commit
rape upon her.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence in the manner as alleged has ever taken place. It is submitted that the victim is a major and there is no specific overt act against the petitioner to forcibly establish physical relationship with the informant, in fact, the informant is a consenting party. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner.
6. Considering the aforesaid facts and circumstances and the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.
7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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