

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17757 of 2024**

Arising Out of PS. Case No.-325 Year-2016 Thana- BHAGWAN BAZAR District- Saran

Ajay Kumar @ Chakali @ Suraj Kumar @ Chhakali Son of Late Pyare Lal  
Ram Resident of Mohalla - Railway Colony, Police Station - Bhagwan Bazar,  
Chapra, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dhananjay Mishra, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      14-03-2024                      Heard Mr. Dhananjay Mishra, the learned counsel  
for the petitioner and Ms. Pushpa Sinha, the learned Additional  
Public Prosecutor for the State.

2.              The petitioner is apprehending his arrest in  
connection with Bhagwan Bazar PS Case No. 325 of 2016, FIR  
dated 08.11.2016, registered for the offence punishable under  
Section 366 read with Section 34 of the Indian Penal Code.

3.              According to prosecution case, the daughter of the  
informant disappeared and when the search was made, it was  
found that the daughter of the informant was seen with one  
Suraj Kumar @ Chhakali and when the informant phoned the  
said Suraj Kumar he used abusive language and threatened the  
informant.

4.              Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that from the perusal of FIR/complaint petition it appears that there is direct and specific allegation against the petitioner that he has committed rape upon the victim and in the statement of the victim recorded under Section 164 of Cr.P.C., she has firmly stated that petitioner has committed rape upon her.

6. Considering the aforesaid facts and circumstances and the fact that there is direct and specific allegation against the petitioner, I am **not** inclined to grant the privilege of anticipatory bail to the petitioner in connection with Bhagwan Bazar PS Case No. 325 of 2016, pending in the Court of learned Chief Judicial Magistrate, Saran at Chapra.

7. Prayer is refused.

**(Rajesh Kumar Verma, J)**

Shahnawaz/-

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