

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25715 of 2024

Arising Out of PS. Case No.-800 Year-2023 Thana- NAUBATPUR District- Patna

Shiv Kumar Son of Sri Ashok Kumar @ Ashok Yadav @ Bindu Yadav
Resident of Village- Ajwan Bahera Tar, Police Station- Naubatpur, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Adv.

Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-06-2024 Heard Mr. N.K.Agrawal, learned senior counsel
assisted by Mr. Pankaj Kumar, learned counsel for the petitioner
and Mr. Ashok Kumar Singh, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence under Section 376/511 of the Indian
Penal Code.

3. As per the prosecution case, this petitioner is
alleged to have knocked the door of the informant and forcibly
took her to his house and thereafter, attempted to commit rape,
however; on raising alarm by informant, the petitioner fled away
from there.

4. Learned counsel for the petitioner submits that
entire prosecution case is highly absurd, unbelievable and



unnatural. As a matter of fact, both parties are close door neighbours and there is admitted long standing dispute over the pathway between the parties, for which, petitioner has filed several applications before the higher authorities, but only with a view to harass and settle the said land dispute, this false and concocted case has been lodged against this petitioner. From bare perusal of the narration of the fact, as stated in the F.I.R., it appears that the petitioner was forcibly dragging the informant, but neither the informant protested nor her family members raised any objection against this petitioner, which cannot be believed, and said to be against the normal conduct. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate - VI, Danapur, District - Patna in connection with Naubatpur P.S. Case No. 800 of 2023, subject to condition as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

