

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42423 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- SAHEBPUR KAMAL District- Begusarai

Mannu Kumar @ Kallu, Son Of Sato Mahto, Resident Of Village - Tarbanna,
P.S. - Sahebpur Kamal, District - Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Anand

For the Opposite Party/s : Mr.Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-08-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 341, 323, 494, 498(A), 354(B), 504 and 34 of the
Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and has been
falsely implicated in the instant case by the informant, who is
his *Bhabhi*. It is further submitted that informant was married to
the brother of the petitioner, but then, their relationship has
soured, as her husband had performed second marriage and
accused persons including the petitioner used to abuse her. It is
next alleged that husband of the informant compelled her to



vacate the house and the petitioner locked her in a separate room and made an attempt to commit rape, but could not succeed. Thereafter, she was brutally assaulted, but she managed to save her life by fleeing away and thereafter, she called the police and the police got her treated.

4. The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner, being brother in-law of the informant, came to be implicated as the informant was not having good relation with her husband. It is also submitted that the date of occurrence is 14.03.2024, but the F.I.R. came to be instituted on 19.03.2024 i.e. after a delay of five days, when it is alleged in the FIR itself that the informant called the police and police took her for treatment. It is thus submitted that had the police been called and the informant would have been taken for treatment, in that event, the F.I.R. would have been instituted instantly which cast an aspersion on the case of the prosecution.

5. Learned A.P.P. Sri Chandra Bhushan Prasad opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below



within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-VI-cum-ACJM-IV, Begusarai in connection with Sahebpur Kamal P. S. Case No.70 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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