

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49821 of 2024

Arising Out of PS. Case No.-369 Year-2023 Thana- GAYA KOTWALI District- Gaya

Abhimanyu Kumar Son Of Rajendra Prasad R/O- Mohalla- Dukharni Mandir,
B.N. Jha Road, Opposite Kamal Bag Apartment, P.S.- Kotwali, Distt.- Gaya,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar, Adv.
For the State	:	Mr. Nirmal Kumar Sinha, A.P.P.
For the Informant	:	Mr. Ajay Kumar Sinha, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-11-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 376/420 of the Indian Penal Code.

3. As per the prosecution case, the informant has been working in Fitzone institution on the post of supervisor since 16.10.2020. It is alleged that the petitioner was also working there in the higher post and he came close to her with offer of temptation that he would promote her to higher post. Additionally, she was allegedly raped four times by the petitioner under the guise of a promotion, and when she objected, the petitioner threatened to murder her and terminate



her employment. It is also alleged that the petitioner has taken Rs.4,15,000/- from the informant in cash and when she asked for receipt, the petitioner used to evade the same and threatened her to make her nude video viral.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the police has submitted final form against the petitioner but the learned Trial Court differed the final form and took cognizance against the petitioner on the basis of materials available in the case diary. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submitted that the learned Trial Court differed the final form and took cognizance against the petitioner on the basis of materials available in the case diary.

6. Considering the facts and circumstances of the case, argument of the parties as well as the materials available on record, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court



below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Gaya Kotwali P.S. Case No. 369 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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