

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48393 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- BARSOI District- Katihar

Subhash Singh @ Subhash Kr Singh Son Of Late Nitai Singh R/O- Village-
Dohakai, P.S.- Barsoi, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 21-09-2024 Heard Learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Barsoi P.S. Case No.52 of 2024, registered on 23.02.2024 for the offences punishable under Sections 384, 385, 379, 376, 504, 506 of the Indian Penal Code.

3. As per the prosecution, F.I.R. has been lodged by the informant against the petitioner alleging therein that he has committed rape with her on the knife point. It has also been stated that video of the occurrence has also been recorded and photo has been taken on the mobile and sent on the whats app of the informant and thereafter demand for ransom has also been made.

4. Learned Counsel for the petitioner submits that on the previous occasion case diary was called for. He submits that as



per his information provided by the Pairvikaar whatsoever be the statement made in the F.I.R. has neither been supported in the statement of the victim recorded under Section 161 nor in the statement under Section 164 Cr.P.C. Counsel further submits that antecedent of the petitioner is clean and he is basically victim in this case and not the accuse.

5. Learned Counsel for the State submits that there is specific allegation in the F.I.R. against the petitioner. Case diary has been called for. He further submits that whatsoever be narrated in the F.I.R. the statement of the victim i.e. direct allegation has neither been supported in 161 and 164 statement.

6. Having regard to the facts and circumstances of the case, the petitioners, above named, are directed to be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.30,000/- (Thirty Thousand) each with two sureties of the like amount each to the satisfaction of ACJM-1, Katihar, in connection with Barsoi P.S. Case No.52 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

Ankit Kumar/-

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