

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60743 of 2023

Arising Out of PS. Case No.-74 Year-2019 Thana- GHOSWARI District- Patna

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MANIKANT KUMAR S/O SHIVKUMAR PASWAN RESIDENT OF
VILLAGE- AMBA, PS- RAHUI, DIST- NALANDA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Pandey
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary
For the Informant	:	Mr. Rahul Raj

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-03-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in connection with Ghoshwari P.S. Case No.74 of 2019, registered for the offence punishable under Sections 365, 376, 379, 34 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with other co-accused person raped the informant and confined her in his house.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioner. Petitioner has no criminal



antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that the victim has supported the prosecution case in her statement recorded u/s 164 of Cr.PC.

6. Having regard to the facts and circumstances of the case as well as considering the statement of victim u/s 164 of Cr.PC, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

8. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law considering that the matter has been compromised between the parties.

(Anjani Kumar Sharan, J)

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