

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65448 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- CHARPOKHARI District- Bhojpur

Ankit Pandey @ Chhotu @ Ankit Kumar S/o Ajay Pandey Resident of Vill-
Sikraul, P.S- Sikarhatta, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar, Adv. Mr. Sandeep Kumar Pandey, Adv. Ms. Divyani Shekhar, Adv.
For the Opposite Party/s :		Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2024 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
376 and 379 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a young boy aged about 20 years and is a person
with clean antecedent and the informant alleges that her own
maternal nephew (petitioner) on 24.03.2024 at 5 A.M. entered a
house with gun in hand, on seen the gun, the children got afraid
and petitioner on point of gun snatched her own Mangalsutra
and chain, it is next alleged that informant fled and took shelter
in the house of neighbour, it is further alleged alleged that for



the last 5 years, the petitioner is torturing her mentally, next alleges that last October, he forcefully, established physical relation and earlier also, he had tried to establish physical relationship but on account of social stigma, the torture was not disclosed.

4. The learned counsel submits that petitioner has been falsely implicated in the case filed by the informant. It is next submitted that petitioner is son of the own sister of the husband of the informant. It is further submitted that it absolutely does not stand to reason that if petitioner had entered into an forceful physical relation with the informant last October then why the said fact was not disclosed. It is submitted that though in the F.I.R. it is alleged that on account of social stigma, the informant chose to remain silent but then it absolutely does not stand to reason that why the instant F.I.R. came to be instituted when it is not the allegation of the informant that petitioner tried to become physical rather alleges that he snatched her mobile, Mangalsutra and chain. It is also submitted that though it is alleged that the mobile was recovered from the house of the petitioner but then the mobile was handed over to the police by the informant, as such the mobile was not recovered by the police from the house of the petitioner. It is



further submitted that petitioner had given some amount to the informant by way of loan, as would manifest from Annexure-3 to the anticipatory bail application and the said dispute led to institution of the instant F.I.R. It is further submitted that the informant realising her mistake and on intervention well-wisher has compromised the case and for that the learned counsel draws the attention of the Court to the order impugned wherein it has been recorded- it has been submitted by learned counsel for the petitioner that the case has been compromised by the parties and joint compromise petition is also on the record duly signed by the parties, the informant is also present physically along with the counsel and said that she has compromised the case with the petitioner.

5. The learned counsel for the petitioner thus submits that when informant does not intend to pursue the case, no useful purpose would be served by sending the petitioner to jail.

6. Learned A.P.P. opposes the bail application.

7. 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 withing 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 Chief Judicial Magistrate, Bhojpur at Ara, in connection with Charpokhari P.S. Case No. 71 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The applications stands allowed.

(Satyavrat Verma, J)

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