

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66255 of 2023

Arising Out of PS. Case No.-15 Year-2022 Thana- MAHILA P.S. District- Bhagalpur

Anish Priyadarshi Son Of Late Shiv Shankar Prasad Singh R/o Vill - Bath,
P.O. - Bath, P.S - Bath, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate Ms. Priyanka Singh, Advocate
For the State	:	Mr. Umeshanand Pandit, APP
For the Informant	:	Ms. Preety Kunwar, Advocate Mr. Diwakar Upadhyay, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

9 19-04-2024 Heard Ld. counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Bhagalpur Mahila P.S. Case No. 15 of 2022, dated 05.04.2022, registered for the offences punishable under Sections 376, 323, 313, 504, 506/34 of the Indian Penal Code and Sections 4 and 6 of the the POSCO Act.

3. Ld. counsel for the petitioner submits that prior to the present petition, the petitioner had moved this Court for regular bail vide Cr. Misc. No. 44277of 2022, whereby her petition was dismissed with an observation that if the trial is not concluded within a period of six months, the petitioner would be



at liberty to renew his prayer for bail. He further submits that the trial has not concluded within the stipulated time. Hence, the Petitioner, vide present application, has renewed his prayer for bail.

4. Ld. Counsel for the Petitioner vehemently submits that this is a case of false implication with ulterior motive. The best case of the prosecution is that the Petitioner had physical relationships with the prosecutrix on the pretext of marrying, but the fact is that there was no physical relationship between the Petitioner and the Prosecutrix. The Petitioner is in government service and this case has been filed after six years of the alleged date of occurrence with intent to exert pressure on the Petitioner to marry her.

5. Ld. APP for the State as well as the Informant oppose the prayer of the Petitioner for bail.

6. Considering the aforesaid facts and circumstances, particularly the fact that the trial has not yet been concluded, this **application is allowed**, directing the petitioner, above named, to be enlarged on bail on his furnishing bail bond in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Special Judge POSCO Court, Bhagalpur, in connection with Bhagalpur Mahila



P.S. Case No. 15 of 2022 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding the previous bail petition is wrong, Ld. Court below shall cancel the bail bond of the petitioner.

(Jitendra Kumar, J)

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