

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72112 of 2024

Arising Out of PS. Case No.-1346 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Kunnu Kumar @ Bashist @ Vashist @ Vashist Kumar son of Kul Bhushan
Singh Village - Sirpatpur, Ps- Fatuha, Dist- Patha

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pooja, w/o Upesh Kumar Village Sirpatpur P S Fatuha District Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Parmeshwar Vishwakarma

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 22-11-2024 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Complaint Case No. 1346 (C) of 2022, dated
04.11.2022, disclosing offences under Sections
452/376/511/427 of the Indian Penal Code.
3. The prosecution case, as per the complaint case, is that on
22.10.2022, while the complainant was alone in her
house, the petitioner and other accused persons, came to
her house and started misbehaving, dragged her in a room
and disrobed her and tried to commit rape. After alarm
being raised, her family members and villagers came
there who were also assaulted by the petitioner and other
accused persons.



4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in the present case due to ulterior motive. There is no injury on private parts of the complainant. He next submits that there is inordinate delay in lodging complaint case inasmuch as the occurrence took place on 22.10.2022, whereas, the present complaint case has been lodged after a considerable delay of 12 days, which goes to show that case has been lodged on the basis of concocted story. He further submits that a complaint case has also been lodged by the side of the petitioner, bearing Complaint Case No. 1374 of 2022, against the informant's husband and others, having similar allegation.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of offence and severity of punishment, I am not inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

