

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81866 of 2023

Arising Out of PS. Case No.-191 Year-2023 Thana- SANOKHAR District- Bhagalpur

Kaushal Kishore S/o Late Umesh Mandal @ Umesh Prasad Mandal R/o
village- Dobhi, P.S.- Sanokhar (Aamdanda), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghwendra Pratap Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 10-04-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in connection with Sanokhar (Aamdanda) P.S. Case No.191 of 2023 instituted under Sections 376/379/504/506/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner along with other accused persons entered into the house of the informant-victim and committed rape upon her on gun point. It is further alleged that the accused persons threatened and exploited the informant-victim for a long time. They also took away Rs.50,000/- and ornaments from Godrej *almirah* of the informant-victim.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the mother of the petitioner, who is



President of Kiran Jevika (self help group) had given Rs.30,000 to the victim and when the debt was demanded, the victim lodged false case against the petitioner and others. It is also submitted that similarly situated two accused persons, namely, Priyanshu Kumar and Himanshu Kumar have already been granted anticipatory bail by a coordinate bench of this Court vide order dated 05.03.2024 passed in Cr.Misc.No.74680 of 2023 and Cr.Misc.No.76991 of 2023. The petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Sanokhar (Aamdanda) P.S. Case No.191 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

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(Sunil Dutta Mishra, J)

