

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82494 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- MAHILA PS District- Gaya

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ANKIT KUMAR S/O RAMJATAN PASWAN R/O VILLAGE- MEERA
BIGHA, P.S- MAKHDUMPUR, DISTT.- JEHANABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parwej Khan

For the Opposite Party/s : Mr.Syed Ehteshamuddin

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 23-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Gaya Mahila P.S. Case No. 13 of 2023, dated 09.02.2023, for the offences punishable under sections 376, 313, 420, 504 & 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have committed rape with the informant by administering intoxicated juice to her on the pretext of providing a job and made a video. He also abused and assaulted the informant and threatened to shoot her parents. Thereafter, the petitioner continued to commit rape with the informant and she became pregnant. The petitioner got her pregnancy aborted forcefully on



the four occasion. When the informant got job in the Bihar Police, then the petitioner started extorting money by threatening her to make her video viral.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner has no concern with the alleged offence. As per the medical report, there is no sign and symptoms of recent intercourse is found on the victim. As per F.I.R. as well as case diary, there is no eye witness of the alleged occurrence. Learned counsel further submitted that there is no any medical prescription on the record showing that the victim was aborted four times. The victim is a major lady. She chose to have physical relationship with the petitioner of her own will and she did not make any complain to the concerned authority prior to this case. Learned counsel placed reliance on the judgment in the case of ***Mandar Deepak Pawar Vs. State of Maharashtra & Anr. (Criminal Appeal No. 442 of 2022)***.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the victim is a major girl.

6. Considering the aforesaid facts and circumstances



of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Gaya Mahila P.S. Case No. 13 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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