

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83465 of 2024

Arising Out of PS. Case No.-646 Year-2024 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Niraj Kumar Chaudhary Son of Amar Nath Chaudhary Resident of Village-
Bandhar, P.s.- Hathauri, Distt.- Samastipur. Petitioner/s
Versus

1. The State of Bihar
 2. Rupamm Kumari D/O- Madan Mandal R/v- Sari Chauk, P.S.- Warisnagar,
Distt.- Samastipur
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP
For the O.P. No.2 : Mr. Anant Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2024 Heard learned counsel for the petitioner and learned A.P.P.

for the State assisted by learned counsel for the opposite party
no.2.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 376 of the Indian
Penal Code.

3. On the false promise of marriage, the petitioner is said to
have made physical relation with opposite party no.2.

4. It is submitted by learned counsel for the petitioner that
no such occurrence as alleged ever took place. He has been
falsely implicated in this case. There is inordinate and
abnormal delay of one year in filing the complaint petition
without assigning any plausible and convincing reason for the



said delay, which creates serious doubt about the prosecution case. It is further submitted that the complainant/opposite party no.2 is a lady of immoral character and in this regard some photographs have been annexed as Annexure-3 series to this application. Petitioner is pursuing his study of B.Sc. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the opposite party no.2 opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as the fact that both are majors, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No. 646 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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