

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85187 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- SIWAIPATTI District- Muzaffarpur

Rahul Kumar S/O Nandlal Ray @ Nand Kishor Ray R/O Village- Ghosaut,
P.S- Siwaipatti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Siwaipatti P.S. Case No. 104 of 2024 registered for the offences punishable under Sections 63, 62 of the B.N.S.

3. Allegedly, petitioner is said to have come from behind and caught hold the informant and pressed her mouth with mala fide intention, but anyhow the informant removed his hands from her mouth and fled away. On raising alarm by the informant, her parents and uncle came to whom she narrated the entire incident. Thereafter, when the informant's father went to the house of the petitioner to complain about the same, the family members of the petitioner started abusing him.



4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. It is further submitted that there is no allegation of committing rape with the informant against the petitioner, but even for sake of argument if the entire allegation is deemed to be true, at best it would be a case of Section 74 of the B.N.S. No offence under Section 62, 63 of the B.N.S. is made out against the petitioner. He has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

8. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by



this order considering the fact that petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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