

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3929 of 2025

Arising Out of PS. Case No.-392 Year-2023 Thana- PUPRI District- Sitamarhi

Shambhu Kumar Rajak S/O Shiv Chandra Baitha R/O Village- Naya Tola,
P.S- Nanpur, Distt.- Sitamadhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjana Gupta W/o Arjun Gupta R/o Village- Sonari, P.S.- Baluani, Distt.-
Deoria (Uttar Pradesh)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha, Adv

For the State : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 05-08-2025 Heard learned counsel for the petitioner, learned
counsel for the OP.No.2 and the learned APP for the State.

2. Petitioner apprehends his arrest in connection with
Pupari P.S. Case No. 392 of 2023 registered for the offences
punishable under Sections 376 and 506/34 of the Indian Penal
Code.

3. The allegation in the FIR is that the petitioner and
one Jagmohan Kumar came in drunken condition in the room of
informant and committed rape upon her at gun point.

4. Learned counsel for the petitioner submits that the
entire story narrated in the FIR is totally false and as a matter of
fact, the petitioner is freelancer journalist and due to his



profession several persons had grievance from him and it is due to such grievance some persons took signed papers from the informant which was made basis of the present false case. It has further been submitted that such facts have been narrated in an affidavit filed on behalf of the petitioner before the court of the S.D.J.M, Sitamarhi, wherein she has indicated that the contents of the FIR are not correct and no offence has been committed by the petitioner. Further, it has also been submitted that the medical report of the informant also does not support the version of the FIR.

5. The learned APP and the counsel for the OP.No.2 oppose the prayer for bail. Learned counsel for the OP.No.2 has invited the attention of this Court to the statement of the victim recorded under section 164 of the Cr.P.C wherein she has supported the FIR and has made specific allegation against the petitioner of having committed rape upon her. It has also been submitted that the petitioner has six criminal antecedents out of which at least, two cases are under section 376 and 354B of the I.P.C.

6. Considering all the above mentioned facts and circumstances and also considering the statement of the victim



recorded under section 164 of the Cr.P.C along with criminal antecedents of the petitioner, I am not inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, his prayer for anticipatory bail in connection with Pupri P.S.Case No. 392 of 2023, pending in the court of learned Sub- Divisional Judicial Magistrate, Pupri, Sitamarhi stands rejected.

(Soni Shrivastava, J)

N.K/-

U		T	
---	--	---	--

