

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87885 of 2024

Arising Out of PS. Case No.-24 Year-2019 Thana- MAHILA P.S. District- Bhagalpur

Niranjan Kumar Agrawal Son of Late Satyanarayan Ram Resident of Mohalla
- Burhanath Road, P.S. - Kotwali (Adampur), District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ram Sumiran Rai, Advocate
For the State	:	Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 323, 341, 376D, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, this petitioner, along with other accused persons named in the F.I.R., is alleged to have committed rape upon the victim.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Police after investigation submitted final form as *Anupreshit* and this petitioner was not sent up for trial. After submission of final form, learned Magistrate took



cognizance against co-accused Pramod Tanti @ Chhotu for the offences punishable under Sections 420 and 376 of the Indian Penal Code on 07.10.2020. During trial, on 21.11.2023, a petition under Section 319 of the Code of Criminal Procedure was filed in Sessions Trial No. 220 of 2021 for adding the name of this petitioner as an accused in the present case and thereafter summon was issued against this petitioner. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. and there is specific accusation that he, along with other accused persons, committed rape with the victim. The victim in her statement recorded under Section 164 of the Cr.P.C. has supported the prosecution case and has specifically stated that this petitioner committed rape upon her. It is further submitted that during trial, the victim again has corroborated the prosecution case.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and statement of victim recorded under Section 164 of the Cr.P.C., the prayer for grant



of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

shashank/-

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

