

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45678 of 2014

Arising Out of PS.Case No. -96 Year- 2013 Thana -TRIVENIGANJ District- SUPAUL

Roshan Kumar Son of Dhanik Lal Yadav resident of village- Devipatti
Bathnaha, P.S.- Pipra, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar
2. Amrita Kumari, D/o Shailendra Yadav, resident of village –
Laxminiyan, P.S. Triveniganj, District – Supaul.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. M.Rab(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

05/ 16-09-2015

Heard learned counsels for the petitioner,

State and the informant.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 376,
493, 498A of the Indian Penal Code and Sections 3/4 of Dowry
Prohibition Act.

The prosecution case is that the petitioner
developed intimacy with the informant and ravished her.
Thereafter he promised to marry and actually married on

29.03.2013, but thereafter the torture has inflicted.

It is submitted by learned counsel for the petitioner that the petitioner was kidnapped by the family members of the informant on 28.03.2013 for which father of the petitioner lodged Pipra P.S. Case No. 82 of 2013 alleging accusation under Section 365 of the IPC against the family members of the informant and thereafter the present complainant was filed on 29.04.2013 which came to be registered as police case on 05.07.2013. There was no medical examination that the informant was ravished neither the date of alleged rape has been mentioned in the complaint.

It is submitted by learned counsel for the informant that the petitioner was related to the family and he developed intimacy, consequently he performed marriage with her and thereafter he wanted to desert the informant as a result the present case has been lodged.

Considering the case lodged by the petitioner side at earlier point of time, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount

each to the satisfaction of learned Judicial Magistrate, Ist Class,
Supaul in connection with Triveniganj P.S. Case No. 96 of
2013, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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