

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30237 of 2015

Arising Out of PS.Case No. -2618 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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Raj Kumar Son of Late Madhav Mehta, Resident of Hanuman Nagar, P.S. -
Saur Bazar, District - saharasa at present Flat No. 403, Lila Apartment, Near
Lalita Hotel, P.S. - Kotwali, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bindu Bala D/o Sri Rajroop Sinha, CDA Colony, P.O. + P.S. Shashtri
Nagar, District – Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

11/ 24-02-2016

This matter has been placed before this

Court in view of the administrative order of the Hon'ble the
Acting Chief Justice dated 14.01.2016.

The petitioner is apprehending his arrest in
a complaint case wherein processes have been directed to be
issued after cognizance being taken for the offences punishable
under Section 376 of the Indian Penal Code.

The prosecution case is that the
complainant is an employee of the hospital to which petitioner is
Director. The complainant has alleged that she was sexually
exploited by the petitioner.



It is submitted by learned counsel for the petitioner that for the occurrence of November, 2010 the complaint was filed on 12.09.2014. The complainant has filed the present complaint as a retaliatory measure due to filing of Patna Kotwali P.S. Case No. 144 of 2012 prior to the filing of the present complaint by the petitioner against the boy friend of the complainant levelling accusation under Sections 365, 384, 341, 323 and 504/34 of the IPC. Supplementary affidavit has been filed on behalf of the petitioner dated 09.02.2016 at Flag 'B' that the complainant has retracted from the initial version and filed a petition to that effect before the learned court below on 13.01.2016.

Counsel for the complainant has also filed counter affidavit on 22.02.2016 where it has been stated that the complainant does not want to prosecute the petitioner. The contention made in the counter affidavit has been reiterated by Mr. Sunil Kumar learned counsel for the complainant.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of 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,
Patna in connection with Complaint Case No. 2618(C) of 2012,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Dinesh Kumar Singh, J)

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