

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56824 of 2015

Arising Out of PS.Case No. -794 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

=====

1. Kumar Dipankar Son of late Mahendra lal Das Resident of Village-
Shanti Clinic Ahiyapur, P.s Ahiyapur, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner : Mr. Ritesh Kumar Narain Singh

For the State : Mr. Uday Pratap Singh(App)

For the informant : Mr. Krishna Kant Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 29-02-2016

Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Ahiyapur Police Station Case No. 794 of 2015,
disclosing offences under Section 376 of the Indian Penal
Code.

A complaint case instituted by the first
informant is the basis for institution of Ahiyapur Police
Station Case No. 794 of 2015. It is alleged that on false
assurance that the petitioner will marry the informant, he
established physical relationship with her and, thereafter,
refused to marry.

Learned Counsel for the petitioner submits that
no offence under Section 376 of the Indian Penal Code is
made out on the basis of the contents of the complaint

petition as it cannot be said that the petitioner established physical relationship forcibly or with use of any kind of inducement.

Considering the facts and circumstances and the nature of accusation, this application is allowed.

Let the petitioner, Kumar Dipankar, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Ahiyapur Police Station Case No. 794 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---