

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36979 of 2016

Arising Out of PS.Case No. -303 Year- 2015 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Krishna Das S/o Rajendra Das resident of Village- Parsa, Brahm Tola,
P.s>- Manuapur, District- West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

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

For informant : Mr. Binay Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 20-01-2017 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor.

The petitioner prays for anticipatory bail in connection Raxaul PS case no. 303 of 2015 registered for the offence punishable under section 366A/34 of Indian Penal Code.

It is submitted on behalf of petitioner that there is inordinate delay of five months in lodging the case but even after five months, only complaint case is filed and they have not gone before the police. It is further submitted that earlier to the filing of this case, the father of the petitioner has lodged a case against the family members of the informant as they are pressurizing to get his son married with daughter of informant and for that, this false



case is filed against the petitioner.

Heard learned A.P.P. and learned counsel for informant also. They have opposed the prayer for bail.

Having heard both sides. It appears that in F.I.R., there is direct allegation against the petitioner that has been supported by the statement of victim girl recorded under Section 164 of Code of Criminal Procedure. As such though there is a delay of five months in lodging the FIR, I am not inclined to grant bail to the petitioner. As such, his prayer for anticipatory bail is rejected at this stage. However, he may surrender before the court below and pray for regular bail and the court below after perusing the materials available on record will dispose of the matter on its own merit without being prejudiced by the order of this Court.

With these observations, this bail application is disposed of.

(Vinod Kumar Sinha, J.)

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