

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45074 of 2017

Arising Out of PS. Case No.-119 Year-2017 Thana- COMPLAINT CASE District- Jamui

Dr. Abhay Kishore Rajak @ Abhay Kishore Rajak, S/o Sri Ramdeo Rajak,
resident of Village- Choti Daulatpur, P.S.- Jamalpur, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Soni Kumari, D/o Krishna Rajak, resident of Village- Kunthur, P.S.-
Giddhaur, District- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Singh

For the Opposite Party/s : Mr. SRI JITENDRA KUMAR SINGH

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-12-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint Case No. 119 (C) of 2017, disclosing offences under Sections 376,420,506,379 of the Indian Penal Code.

The complaint petition is the basis for registration of the First Information Report. The informant has herself asserted that she is a married woman. It is, however, alleged against the petitioner that on false assurance of marrying the informant, the petitioner established physical relationship with her.

Learned counsel for the petitioner has submitted that no offence under Section 376 of the Indian Penal Code is made out on the basis of what has been alleged in the complaint petition, which is the basis for registration of the First Information



Report.

Learned counsel for the informant has opposed the prayer for anticipatory bail.

However, in view of the allegations made in the complaint petition, in my view, a case for grant of anticipatory bail is made out. This application is accordingly, allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, 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 the learned Chief Judicial Magistrate, Jamui in Complaint Case No. 119(C) of 2017, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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