

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3511 of 2017

Arising Out of PS.Case No. -227 Year- 2016 Thana -MOTIPUR District- MUZAFFARPUR

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1. Rajesh Kumar, S/o Kishori Rai, R/o Village- Harpur Junaida, P.S.-
Motipur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 24-03-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Motipur Police Station Case No. 227 of 2016, disclosing
offences under Section 366 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
the petitioner, who is of clean antecedent, is innocent and has
not committed any offence as alleged in the F.I.R. In fact, there
was love affair between the petitioner and the sister of the
informant and they have performed marriage as per their sweet
will. Moreover, in the statement of the victim recorded under
Section 164 Cr.P.C., nothing has been stated about any overt act
or sexual assault upon the victim against the petitioner. Hence,



the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 Motipur Police Station Case No. 227 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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