

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11321 of 2017

Arising Out of PS.Case No. -1391 Year- 2014 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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DEEPAK KUMAR BHARTI @ PRIYANK KUMAR @ PRIYANKA
KUMAR Son of Ravindra Poddar Resident of Village : - Bharokhara, P.S. :
- Tajpur, District : - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sapna Kumari Daughter of Shiv Nandan Poddar Resident of Village : -
Pokhraise, P.S. : - Samastipur Muffasil, District : - Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Sunil Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 06-07-2017 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

complainant.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Complaint Case No. 1391
of 2014/ Tr. No. 3395 of 2016 for the offences punishable under
sections 500, 504, 120 B and 376 of the I.P.C.

Allegedly, the petitioner after giving assurance to
marry the complainant developed physical relationship with her
for several times and thereafter refused to marry with her. Legal
notice was also sent. Thereafter the petitioner and other co-
accused started torturing her and told her characterless.

Submission is of false implication and that as per



complaint petition no offence under section 376 of the I.P.C is made out, the complainant is major one and if any physical relationship was developed that was with the consent of the complainant, the father of the petitioner has filed Complaint Case No. 1868 of 2014 against the complainant and others and as such there is case and counter case and therefore the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the complainant opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner has committed heinous crime.

In the facts and circumstances as stated above, considering that the complainant is major one and with her consent everything was done and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. S.D.J.M. Samastipur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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