

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.7805 of 2018**

Arising Out of PS.Case No. -331 Year- 2017 Thana -BUXAR MUFFSIL District- BUXAR

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Satish Kumar, S/o Shubhash Prasad @ Shubhash Ram, resident of village-  
Nat, P.S.- Buxar (I), District- Buxar.

.... .... Petitioner/s

Versus

. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate.

For the Opposite Party/s : Mr. Amit Kumar Rakesh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      21-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Buxar (Muffasil) P.S. Case No. 331 of 2017** instituted for the offence under Sections 354, 354(B) and 376 of the Indian Penal Code.

It is alleged in the complaint which was sent to Police Station under Section 156 (3) Cr. P.C. that complainant knew the petitioner since 2013. It is alleged that petitioner established physical relationship with the complainant several times on the plea of marrying her. It is further alleged that the petitioner got job in the year 2015 and, thereafter, he did not become ready to marry with the complainant. She became pregnant due to physical relationship with this petitioner. The petitioner administered medicine to the complainant due to which her pregnancy was



terminated.

Case diary has been received.

The statement of victim girl recorded under Section 164 Cr. P.C. is available in paragraph-26 of the case diary wherein she has stated her age as 21 years and the court below has also assessed her age to be 21 years. Therefore, the girl is major.

From the complaint petition itself it appears that girl was living in relation with this petitioner since 2013 but the case has been registered in the year 2017.

Learned counsel for the petitioner has pointed out Annexure-2 which is the report submitted by the concerned Police Station before the Superintendent of Police, Buxar, on the basis of complaint made by the informant wherein the allegation made against this petitioner was found false.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Buxar (Muffasil) P.S. Case No. 331 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-V, Buxar**, subject to the



conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

**(Sanjay Priya, J)**

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