

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6404 of 2018

Arising Out of PS. Case No.-124 Year-2017 Thana- RUPAULI District- Purnia

Vikash Kumar, Son of Nageshwar Mandal, Resident of Village-Gwalpada,
P.S. Rupauli, District Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy
For the Opposite Party/s : Mr. KHURSHID ANWAR

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-02-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 376/511 and 452 of the IPC.

The prosecution case, as per the written report of Sangita Kumari, submitted to the Station House Officer, Rupauli Police Station is to the effect that on 28.05.2017 at about 1.30 AM in the night, the informant along with his sister-in-law went outside to ease out. When the informant was easing out, the petitioner, Vikash Kumar came and caught her hand and tried to ravish her and when the informant raised alarm, the petitioner escaped from the scene. It is also alleged that the petitioner was teasing the informant since last 15 to 20 days.

It is submitted by learned counsel for the petitioner that for



the occurrence of 28.05.2017 at 1.30 AM, it appears that the police received the written report after three days, on 31.05.2017 at 8.15 PM when the FIR was lodged on the same day, though, the distance between the place of occurrence and Police Station is only Four Kilometers. There is nothing on record to suggest that the informant got medically examined. The further case of the petitioner is that there was talk of marriage between the petitioner and the informant, but the petitioner declined to marry since the informant was visually impaired. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the accusation against the petitioner is specific.

Considering the delayed lodging of the FIR and the fact that the FIR does not suggest that the victim was medically examined, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-I, Purnea in connection with Rupauli P.S. Case No. 124 of 2017, subject to the condition as laid down under



Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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