

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10000 of 2018

Arising Out of PS. Case No.-234 Year-2016 Thana- KATORIA District- Banka

Sumit Kumar @ Sumit Yadav, S/o Late Ganesh Yadav, Resident of Village-
Kurthiya Tikar, Police Station- Bounsi, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-04-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Katoria P.S. Case No. 234 of 2016 registered for the offence punishable under Sections 376 and 506/34 of the Indian Penal Code.

The allegation in the present case is regarding one Ranjan Yadav committing rape on the victim girl along with one of his accomplice.

The learned counsel for the petitioner submits that though the victim girl has named Ranjan Yadav as the perpetrator of the crime, but she has not named the petitioner as a person, who had also committed rape on her. Nonetheless, it is submitted that the petitioner has been falsely roped in only on account of the



statement of the Supervisory Officer to the effect that the petitioner was known to the victim girl from before. Mr. Ajay Mukherjee, the learned counsel for the petitioner submits that in case, the victim girl and the petitioner herein were known from before, the victim girl would have taken his name during her statement made under Section 164 of the Cr.P.C. It is further submitted that the petitioner is having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st Banka in connection with Katoria P.S. Case No. 234 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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