

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8401 of 2018

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1. Dr. Vikram Sharma @ Vikram Sharma S/o Shri Mithileshwar Prasad Sharma, R/o Shishu Sewa Dadan Hospital, Purendu Nagar, Khoja Imli, Phulwarisharif, P.S.- Phulwari, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Alka @ Alka Rai D/o Sri Vinay Narayan Singh, R/o Sumit Enclave, Flat No. 106, Gola Road, P.S.- Rupaspur, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nutan Mishra, Adv.

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal, A.P.P.

For the Informant : Mr. Murari Prasad Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 20-02-2018

Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Mahila Police Station Case No. 89 of 2017, disclosing offences under Sections 376 and 379 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has not committed any offence. In fact, the informant happens to be a divorcee used to live in the house of the petitioner, who happens to be a Doctor, as tenant. According to the F.I.R., there is allegation of establishing physical relation with the informant on the pretext of marriage, which is totally absurd and baseless. No such occurrence ever took place as alleged in the F.I.R. Moreover, the occurrence is of the year 2016 and the informant has lodged this case at the



fag end of year, 2017, which itself creates doubt over the prosecution version. Moreover, the informant has also filed a complaint against the petitioner and his family members alleging them for the same type of offence, which has also never took place. In fact, the informant happens to be a lady of questionable character and she is in habit of harassing the petitioner by lodging cases against him in order to met some monetary demands. 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, Patna, in connection with Mahila Police Station Case No. 89 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J.)

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