

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45761 of 2018

Arising Out of PS. Case No.-716 Year-2017 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Sudhir Kumar S/o Buchiya Mahto, R/o Vill.- Barahpur, P.S.- Town, District-
Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kajal Kumari D/o Akhilesh Mahto, R/o Mohalla- Karma Road, Bijali Office,
P.S.- Town, District- Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-08-2018 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner apprehends his arrest in Complaint case no. 716 of
2017 instituted for the offence under Section(s) 376/511 of the
Indian Penal Code.

Learned counsel for the petitioner has submitted that
complainant herself has filed the complaint petition alleging that
petitioner was establishing physical relationship with her for several
times on the pretext of performing marriage. It is further alleged that
ultimately he was not ready to perform marriage. In the complaint
petition, complainant has stated her age to be 18 years. As per
complaint petition, it appears that even if allegation is taken as
correct then physical relationship was established with consent of



informant.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with complaint case no. Complaint case no. 716 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 the CJM, Aurangabad, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner 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.

(Sanjay Priya, J)

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