

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16050 of 2018

Arising Out of PS. Case No.-93 Year-2015 Thana- GHOGHARDIHA District- Madhubani

Tara Kant Singh @ Tara Singh S/o Baidyanath Singh, R/o Village- Dhaturaha,
P.S.- Marauna, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vagisha Pragya Vacaknavi
For the Opposite Party/s : Mr. Sri Manish Kumar 2

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 02-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Ghoghardiha P.S. case no. 93 of 2015 instituted for the offence under Section(s) 323, 379, 354, 354(B)(C), 376, and 504/34 of the Indian Penal Code.

Allegation against this petitioner is that he committed rape with the informant after taking her in the orchard which was seen by the mother of the informant. The petitioner assured to perform marriage with the informant. On such assurance, he continued to commit sexual intercourse with the informant against her wishes after giving her promise to marry her and



finally she became pregnant. The victim girl told the petitioner to perform marriage but he refused. A panchayati was called where the petitioner and his family members misbehaved and refused to perform marriage. The statement of the victim girl recorded under section 164 Cr. P.C. which has been filed with the complaint petition wherein the girl has stated similarly as mentioned in the written report. The girl was medically examined and doctor has found her pregnant.

Learned counsel for the petitioner has submitted that victim girl, in her statement to the police has stated that she has love affairs with the petitioner. This Court finds in the written report as well as the statement of the victim girl recorded under section 164 Cr. P.C. there is specific allegation that initially this petitioner committed rape with the informant and thereafter gave assurance to perform marriage and continued to have sexual intercourse with her on account of such sexual relationship established by the petitioner, she became pregnant and also gave birth to a child and finally petitioner refused to marry her.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for anticipatory bail of the petitioner stands rejected.



Petitioner may surrender before the Court below and
make prayer for regular bail.

(Sanjay Priya, J)

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