

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30278 of 2018**

Arising Out of PS. Case No.-10 Year-2018 Thana- MAHILA P.S. District- Sheikhpura

Rajeev Kumar, S/o Ramotar Prasad Sharma, Resident of Village- Barui,  
Police Station- Sheikhpura, District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Khushabu Kumari, D/o Karu Mistry, R/o Village- Bhojpur, P.S.- Giriyak,  
District- Nalanda, at present C/o Mantu Kumar, R/o Village- Barui, P.S.  
+Distt- Sheikhpura.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Asha Kumari  
For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      18-05-2018                      Heard learned counsel for the petitioner and  
learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Sheikhpura Mahila P.S. Case No. 10 of 2018 registered for offences under sections 376 of the Indian Penal Code and Section 27 of the Arms Act.

In the present case, an allegation has been made that on the gun point, the petitioner has committed rape upon the Complainant but, it appears that before lodging of the present case, the victim girl has also filed a case registered as Nalanda (Mahila) P.S. Case No. 18 of 2017 under Section 498 and other sections and there she has taken a plea that the marriage was solemnized with the petitioner which is a



valid marriage. Therefore, two stands contradict each other.

Looking to the entire facts and circumstances of the case, let the petitioner, namely, Rajeev Kumar, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 Sub-Divisional Judicial Magistrate, Sheikhpura in connection with Sheikhpura Mahila P.S. Case No. 10 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

**(Shivaji Pandey, J)**

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