

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44114 of 2018

Arising Out of PS.Case No. -25 Year- 2018 Thana -MAHILA P.S. District- PATNA

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1. Vikash Singh @ Vikash Singh Nikumbh, Son of Naresh Singh, resident of Village- Baikatpur, Police Station- Khusrupur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate

For the Opposite Party/s : Mr. Satish Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-07-2018 Heard learned counsel for the petitioner and learned

A.P.P.

The petitioner seeks anticipatory bail in connection with Mahila (Patna) P.S. Case No. 25 of 2018, registered for offences punishable under Sections 376, 420 and 379 of the Indian Penal Code.

Allegation as per FIR is against the petitioner is of having physical relationship with the informant on the pretext of marriage but thereafter, he married with some other lady.

Submission of the learned counsel for the petitioner is that both are adults and there is no case under Section 376 of the Indian Penal Code is made out and physical relationship has been established with consent to each other.



Learned A.P.P. as well as learned Counsel for the informant oppose the prayer for bail stating that the petitioner has made physical relationship with the informant on the pretext of marrying with her and after that, he married with some other person.

In view of allegation against the petitioner, above named, I am not inclined to grant bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrenders before the Court below and makes prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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