

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12430 of 2019

Arising Out of PS. Case No.-56 Year-2018 Thana- MAHILA P.S. District- Muzaffarpur

Md. Arshad, son of Late Md.Gaffar, R/o Mohalla- Imamganj, P.S- Town,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saroj Kumar, Advocate
For the Opposite Party/s	:	Mr. Akhileshwar Dayal, APP
For the Informant	:	Mr. Ravi Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-06-2019 This is an application for grant of anticipatory bail in connection with Mahila P.S. Case No. 56 of 2018, disclosing offences under Sections 376, 506, 34 of the Indian Penal Code and Section 4/6 of POCSO Act.

Allegation against the petitioner is of committing sexual relationship with the informant on the pretext of marriage and thereafter, refused to marry her.

Submission of the learned counsel for the petitioner is that the informant was of 18 years and the whole allegation is false and concocted and the family of the informant has taken money with the petitioner as advance but did not return the same.

Heard learned A.P.P. and learned counsel appearing on behalf of the informant has opposed the prayer for bail on the



ground that informant has supported the prosecution case in her statement under Section 164 of Cr.P.C. and the witnesses have also supported the prosecution case during investigation of the case.

Having heard both sides, in view of the allegation and the quantity of the liquor recovered from the shop of the petitioner, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, the same shall be considered by the learned trial court on its own merit, without being prejudiced by order of this Court.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

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