

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48003 of 2019

Arising Out of PS. Case No.-267 Year-2018 Thana- BARH District- Patna

Gautam Kumar, Son of Bholi Gope, Resident of Village- Manjhala Bigha,
P.S.- Pandarak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Prasad, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad, APP

Mr. Amrit Abhijat, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 16-11-2019 Heard the learned counsel for the petitioner,

informant and the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Barh P.S. Case No. 267 of 2018
(Special Case No. 151 of 2018), dated 02.08.2018,
instituted for the offences under Sections 376, 498A, 323,
504 and 506 of the Indian Penal Code, 3/4 of the Dowry
Prohibition Act and Section 4 of the POCSO Act, 2012.



The accusation in the F.I.R. against the petitioner is of having married the informant and having abandoned her after sexually exploiting her. The victim woman has given her 164 Cr.P.C. statement in which she has stated that she has made to stay in a rented house, where she was subjected to sexual intercourse, but no maintenance was given to her. It further appears from the records that the victim woman is of a different religion and came in the contact with the petitioner while the petitioner ran a show of magic/trickery.

The learned counsel for the petitioner has submitted that there has not been any marriage between the petitioner and the victim woman and only because the victim woman had worked as an associate of the petitioner, that she started entertaining the idea that she would get married to the petitioner.

However, considering the accusation of rape, in the event of the petitioner denying that he has married the victim woman, I am not inclined to grant anticipatory bail to the petitioner.



The prayer for anticipatory bail is, accordingly,
rejected.

The petition stands dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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