

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49851 of 2019

Arising Out of PS. Case No.-11 Year-2018 Thana- MAHILA P.S. District- Madhubani

=====

SUJEET KUMAR @ SUJEET KUMAR ROY S/o Jiwachh Roy R/o village-
Khargama, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi

For the Opposite Party/s : Mr.Dilip Kumar No. 1

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

3 04-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Madhubani Mahila P.S. Case No.11 of 2018 registered for
the offences punishable under Sections 376, 313 and 506 of the
Indian Penal Code.

Petitioner arriving at the house of the informant
forcibly committed rape against her in the night and also kept
committing rape against her under threat of dire consequence to
her family members and also on the pretext of marrying with
her resultantly she became pregnant. He got her pregnancy
aborted by administering some medicine and finally refused to
perform marriage with her.

It is submitted by learned counsel for the



petitioner that no such occurrence as alleged ever took place. Informant has lodged this false and frivolous case against the petitioner only to mount pressure to perform marriage with her. After institution of the case, the police has submitted final form against the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposing the bail petition submitted that there is specific allegation against the petitioner for committing rape against the victim at her house in the night and also committing same offence time and again against her and also aborting her pregnancy. The victim in her statement recorded under Sections 161 Cr.P.C. and 164 Cr.P.C. has fully supported the prosecution case.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for bail of the petitioner is hereby rejected.

However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Prakash Chandra Jaiswal, J)

amit/-

U		T	
---	--	---	--

