

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59470 of 2019

Arising Out of PS. Case No.-173 Year-2019 Thana- BAJPATTI District- Sitamarhi

MAHENDRA SAH S/o Keshwar Sah Resident of Village- Bangaon Bazar
Ward No.12 Sadwara, P.S.- Bajpatti, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-09-2019 The petitioner apprehends his arrest in connection with

Bajpatti P.S.Case No. 173 of 2019 registered under Sections

323,341,376,504 and 506 of the Indian Penal Code.

Allegation against the petitioner, as per FIR, is that informant is a student of a Coaching Centre run by co-accused Raghunath Kumar. It has further been alleged that accused Raghunath Kumar, on the pretext of marriage, established physical relationship with the informant and raped her for so many times due to which she became pregnant. It has further been alleged that when parents of the informant contacted the parents of Raghunath Kumar, they refused to get their son married with the victim girl.

Learned counsel for the petitioner submits that petitioner is the father of the co-accused Raghunath Kumar, who allegedly raped the informant, and only allegation against the petitioner is



that when the informant approached the parents of Raghunath Kumar, petitioner denied to get the marriage done of his son with the informant.

Having regard to the submissions made by the parties and taking into consideration the fact that there is no allegation of rape against the petitioner and he is father of main accused Raghunath Kumar, as such I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned SDJM, Pupri at Sitamarhi in connection with Bajpatti P.S.Case No. 173 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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