

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5697 of 2019

Arising Out of PS. Case No.-551 Year-2018 Thana- BIHTA District- Patna

Uttam Kumar

... .. Petitioner/s

Versus

- 1.The State of Bihar
2. Arti Kumari, daughter of Uma Nath Tiwary.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Upadhyay, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 28-03-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Bihta P.S.Case No. 551 of 2018, registered for offences punishable under Sections 420, 376, 506 of the Indian Penal Code and 3/4 POSCO Act.

Allegation as per F.I.R. against the petitioner is that on the pretext of marriage the petitioner established physical relationship with the informant and she became pregnant and parents of the informant has made complaint about the same and ultimately they were arrested and petitioner is a minor.

Submission of the learned counsel for the petitioner is that earlier also a case has been lodged against the father of the informant and the present case has been lodged to pressurize him for compromise the earlier case. It is also submitted that



the statement of the informant recorded under Section 164 Cr.PC. in which she clearly stated that she does not want to marry with him and the petitioner has no criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, the case of the petitioner is concerned, I am not inclined to grant bail to the petitioner, Accordingly, prayer of anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrender before the court below within a period of four weeks from the date of order and make 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.

This application is accordingly dismissed.

(Vinod Kumar Sinha, J)

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