

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82575 of 2019

Arising Out of PS. Case No.-153 Year-2018 Thana- MAHILA P.S. District- Patna

Suraj Kumar Son of Sri Krishna Prasad Resident of Mohalla- Rampur
Garikhana Near Devi Asthan, P.S.- Khagaul, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari Daughter of Suresh Das, Wife of Sunil Kumar At present
residing at Mohalla- Rampur, Garikhana near Devi Asthan, Khagaul, P.S.-
Khagaul, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Kumar
For the Opposite Party/s : Mr.Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 17-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Mahila P.S. Case No. 153 of 2018, disclosing the offence under
Sections 354(D), 509, 504, 379, 376(B), 498(A)/34 of the Indian
Penal Code.

It is alleged in the FIR that the petitioner had
kidnapped the informant whereafter she was kept in a room and
was served intoxicating drugs. She was allegedly sexually
exploited and photographs and videographs had been taken and
was threatened that the said objectionable photographs and
videographs would be made viral.

Learned counsel appearing on behalf of the petitioner



has submitted that before lodging of the present case, the petitioner had filed an informatory petition on 02.11.2017 in the court of learned ACJM, Danapur about the informant's conduct. The petitioner and the informant were married in presence of the police officials of Gandhi Maidan Police Station. The informant is also said to have filed an application seeking maintenance under Section 125 of the Cr.P.C.

Case diary was called for, which I have perused. From the materials collected in course of investigation, the Supervising Authority has not found the allegations constituting offence under Sections 354(D), 379 and 376(B) of the IPC true, though based on same materials, decision has been taken to submit charge-sheet under Sections 497/ 498/498(A)/34 of the Indian Penal Code.

Considering the materials collected in course of investigation, as is evident from the case diary, in my opinion, a case for grant of anticipatory bail is made out. This application is allowed.

Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the



satisfaction of learned J.M. 1st Class, Patna in Mahila P.S. Case No. 153 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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