

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12833 of 2021

Arising Out of PS. Case No.-287 Year-2020 Thana- MAHUA District- Vaishali

SUSHANT KUMAR Son of Shri Jai Kumar Singh Resident of Village -
Mirzanagar, P.S.- Mahua, Distt.- Vaishali.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Shakti Suman Kumar, APP
For the Informant	:	Mr. Atul Shankar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 17-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 366(A), 504, 506 and 34 of the Indian
Penal Code.

The prosecution allegation, in short, is that the
accused persons including the petitioner abducted the victim
and the petitioner committed rape on her.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. As per the allegation, the petitioner is alleged to have established physical relationship with the victim. The victim had stated in her statement under Section 164 Cr.P.C. that if the petitioner so desires, she is ready to get married with the petitioner. In the light of the said statement made by the victim, learned counsel for the informant was to seek instruction and make statement.

When the matter has been taken up today, learned counsel for the informant namely Mr. Atul Shankar states that he had a talk with the informant who has informed the counsel that the victim had already got married with someone else and further he has instructed his counsel that he does not want to pursue with the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering that the informant does not want to pursue with the present case, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten



thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Vaishali at Hajipur in connection with Mahua P.S. Case No. 287 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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