

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14256 of 2022

Arising Out of PS. Case No.-30 Year-2021 Thana- MAHILA P.S. District- Samastipur

ARBIND KUMAR Son of Jagdish Das Resident of Village - Akbarpur
Basudeopur, P.S. - Kalyanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh
For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Samastipur Mahila P.S. Case no. 30 of 2021 instituted for the offence punishable under Sections 376, 498(A)/34 of the Indian Penal Code and Section 6 and 8 of the POCSO Act.

It is a case of committing rape by the petitioner upon the informant. Petitioner used to establish physical relation with the informant on the pretext of marriage and ultimately petitioner applied vermillion on her head and keep on his physical relation with informant. On 13.2.2021, suddenly petitioner fled away after leaving her at Haryana and when the informant tried to contact him on phone, he refused to recognize



her. Then informant approached to petitioner's family and narrate the whole incident to them. It is further alleged that they demanded Rs. Five lac and a motorcycle to perform their marriage at society level.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. The alleged occurrence has taken place in the year 2016 but the FIR has been lodged in the year 2021, without any plausible reason.

Learned APP appearing for the State has opposed the prayer of bail and submitted that victim girl has supported the prosecution story in her restatement.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of committing rape upon the informant by the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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