

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25768 of 2022

Arising Out of PS. Case No.-120 Year-2019 Thana- BARGAINIA District- Sitamarhi

Dharmendra Das Son of Vinod Das Resident of Village - Kushmari, P.S.-
Riga, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar Narain Singh

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-09-2022 Heard both parties.

The petitioner apprehends his arrest in Bairstania P.S.
Case No. 120 of 2019, registered for the offences punishable
under Section 376 and other allied sections of the Indian Penal
Code.

As per the prosecution case, this petitioner on the
pretext of marriage established physical relation with the minor
daughter of informant.

It is submitted that victim girl is major and no such
occurrence as alleged in the FIR has taken place. Petitioner has
falsely been implicated in this case. It is further submitted that a
compromise petition has been also filed by the parties in which
informant stated that she does not want to proceed with the case.
Petitioner claims clean antecedent.



Counsel for State however vehemently opposed the prayer for bail and submitted that there is specific and direct allegation of commission of sexual assault against the petitioner and the said fact has also been supported by the victim girl in her statement under Section 164 Cr.P.C

Considering the facts aforesaid and gravity of offence, I am not inclined to enlarge the petitioner above-named on anticipatory bail in. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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