

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 44101 of 2021

Arising Out of PS. Case No.-100 Year-2019 Thana- MEDNI CHAUKI District- Lakhisarai

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Kundan Kumar, age about 24 years, Son of Anup Mahto, Resident of village -
Devghara- Chandra Tola, P.S. - Medanichauki, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 11-04-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Medanichauki P.S. Case No. 100 of 2019 registered for
offence punishable under Sections 323, 376, 504, 506 of the
Indian Penal Code.

As per the allegation, finding the victim alone in her



house, the petitioner committed rape on her and also made porn photographs. Putting the victim under threat to make the photograph viral, he had physical relation, with her. She became pregnant. Thereafter the petitioner assured to marry her. Later on he attempted to administer some pills of poison to the victim and on refusal he pressed her throat with intention to kill but due to hue and cry the mob rescued her.

Learned counsel for the petitioner has submitted that the petitioner is innocent and the victim is a major girl and she with the intention to make pressure for marriage, has lodged this false case.

There is specific allegation that the petitioner committed rape upon the victim and he made photograph viral.

Considering the above mentioned facts and circumstances, I do not think it a fit case for grant of anticipatory bail and accordingly, the prayer for anticipatory bail is rejected.

If the petitioner surrenders before the Court below and files regular bail petition, it shall be disposed of on its own merits without being prejudiced by this order.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove,



failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

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