

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41048 of 2022

Arising Out of PS. Case No.-52 Year-2022 Thana- RIGA District- Sitamarhi

RAGHUNANDAN KUMAR Son of Nagendra Mandal @ Videshi Mandal
R/o village - Rewasi, P.S. - Riga, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Ms. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 363, 366(A), 504 and 34 of the Indian Penal Code.

The informant alleges that her minor daughter aged about 17 years went out of the house at 3.00 pm and did not return, thereafter the informant came to know that the petitioner used to talk to her daughter. Accordingly, the informant along with the husband went to the house of the petitioner to inquire about her minor daughter where all the accused persons abused them.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is submitted that the victim has come back and her statement was recorded under Section 164



Cr.P.C. wherein she has not supported the prosecution case rather has stated that she married the petitioner. Learned counsel next submits that no doubt the victim is 17 years but then she has reached the age of discretion where she is capable of understanding the consequences of her action, it is also submitted that when the victim herself has not supported the prosecution case, it would be a travesty of justice if the petitioner is sent to jail.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Riga P.S. Case No. 52 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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