

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60894 of 2021

Arising Out of PS. Case No.-230 Year-2020 Thana- BARUN District- Aurangabad

Mithun Kumar Son of Late Prabhu Choudhary Resident of Village -
Ramdihra, P.S. - Tilouthu, District - Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshansh Ankit, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 28-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Barun P.S. Case No. 230 of 2020 lodged under Section 420, 376
of the I.P.C.

As per the prosecution case, the informant has alleged
that the accused has developed physical relation with the
complainant on the ground of solemnization of marriage. In the
meantime, one child has taken birth from the informant but
subsequently, the complainant have denied from the marriage.
In result, she had filed the present case.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. Counsel submits that the case has been filed under a deep rooted conspiracy. Counsel submits that the alleged child is not of the petitioner. Counsel submits that the petitioner is always ready for the D.N.A. test. Counsel submits that petitioner is in custody since 17.04.2021. There is no criminal antecedent of the petitioner.

Learned counsel for the State opposes the prayer for bail and submits that the notices were issued to the complainant being O.P. No. 2 in this case. The report has come that the complainant has left the village.

By virtue of the allegations made and in the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present but he may renew his prayer for bail 4 months from today. In case, no evidence prior to charge adduced by the complainant in between, the Trial Court is directed to release him on bail imposing appropriate conditions.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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