

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67993 of 2021

Arising Out of PS. Case No.-16 Year-2020 Thana- MAHILA PS District- Gaya

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ANKIT RAJ S/o- Padarath Das Resident of Village- Tetariya, P.S.- Imamganj,
District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Kumari D/o Jatu Bharti Resident of Village- Bhaur, P.S.- Imamganj,
District- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Upendra Kumar(App. 55)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 27.07.2021,
seeks regular bail in connection with Mahila P.S. Case No. 16 of
2020 for the offence punishable under Section 376 and 493 of
the Indian Penal Code.

The prosecution case, in brief, is that the victim has
been sexually assaulted since 2018 by the petitioner on the
pretext of marriage.

Learned counsel appearing on behalf of the
petitioner submits that the petitioner is innocent and he has
falsely been implicated in this case. The petitioner is ready to
perform marriage with the informant.



Sri Bipin Kumar, learned counsel appearing on behalf of informant submits that O.P. No.2 is also ready to marry with the petitioner. She was forced to filed the present case due to strained relation between the family.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Without going into the merits of the case, the learned trial Court is directed to record the statement of the victim girl, if already not recorded, as well as the statement of mother and father of the victim and the petitioner and all the other necessary witnesses and after recording their statements, if the Court below finds it proper in facts and circumstances of the case, shall pass necessary order in accordance with law, without being prejudiced by his earlier order dated 25.10.2021.

If the Court below is *prima facie* satisfied to release the petitioner on bail, the petitioner, above named be released on bail on such terms and conditions as the Court below may deem fit and proper.

Accordingly, with the aforesaid observation and direction, the present application filed on behalf of petitioner is disposed of.

(Purnendu Singh, J)

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