

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68628 of 2021

Arising Out of PS. Case No.-42 Year-2021 Thana- VISHNUPAD District- Gaya

Abhishek Kumar Sinha Son of Ashutosh Sinha @ AShutosh Kumar Resident
of Mohalla - Godawari, Near Shivam Classes, P.S. - Vishnupad, District -
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Yogesh Chandra Verma
For the Opposite Party/s :	Mr. Awadhesh Kumar Singh
	Ms. Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 14-07-2022 The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 406, 323, 354(B), 379, 376, 504, 506 of the

Indian Penal Code.

It is alleged against the petitioner that on

promise to marry, he established physical relationship

with the informant. It is further alleged that he also took

rupees three lakhs and gold jewellery for starting a

business with an assurance to return the same, but

whenever the informant demanded her money and

jewellery back, he abused and threatened of dire



consequences and made assault.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case. As per F.I.R, the incidence took place between 27.09.2020 to 27.02.2021 but neither any complaint nor F.I.R has been lodged against the petitioner during this period. Moreover, there is no documentary proof with regard to receiving money or gold ornament. The informant is a married lady having a child of 14 years. Hence, it is doubtful that on promise of marry, anyone will establish physical relationship without consent.

Learned counsel appearing on behalf of the informant has stated that the thrust of accusation is against the petitioner. The independent witnesses have also supported the prosecution case. The victim in her 164 Cr.P.C statement has also corroborated the prosecution case.

Considering the fact that thrust of accusation is against the petitioner, this Court is not inclined to grant



privilege of anticipatory bail to the petitioner. The prayer
for grant of anticipatory bail stands rejected.

Learned Court below may consider the regular
bail of the petitioner, in accordance with law, without
being prejudiced by the order of this Court.

(Sunil Kumar Panwar, J)

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