

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6552 of 2023

Arising Out of PS. Case No.-75 Year-2022 Thana- MAHILA P.S. District- Saran

AKASH KUMAR @ AKASH Son of Suresh Singh @ Bairagi Singh Resident
of Village - Kasina, P.S.- Garkha in the District of Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Shyameshwar Kumar Singh, Advocate Mr. Ranjeet Kumar, Advocate
For the State	:	Mr. Nand Kishore Prasad, APP
For the Informant	:	Mr. Mukesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner, learned APP
for the State as well as learned counsel appearing on behalf of the
informant.

The petitioner apprehends his arrest in connection with
Saran Mahila P.S. Case No.75 of 2022, registered for the offences
punishable under Sections 376 and 420 of the Indian Penal Code.

The petitioner is said to have committed rape with the
daughter of the informant on the pretext of marriage.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that petitioner has got no criminal
antecedent as stated in paragraph-3 of the bail petition. It is also
submitted that the petitioner and the victim girl are major. Learned



counsel for the petitioner relies upon a judgment of the Hon'ble Supreme Court in the case of Pramod Suryabhan Pawar vs. The State of Maharashtra & Anr., passed in Criminal Appeal No.1165 of 2019/(SLP (Cri) No.2712 of 2019).

Learned APP for the State as well as learned counsel for the informant opposed the prayer for grant of anticipatory bail to the petitioner by submitting that the victim girl has supported the allegation in her statement recorded under Sections 164 as well as 161 Cr.P.C. at paragraph 5 and 27 of the case diary.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra in connection with Saran Mahila P.S. Case No.75 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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