

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36734 of 2023

Arising Out of PS. Case No.-114 Year-2018 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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SANTOSH KUMAR Son of Balehswar Singh Resident of Village- Baghi, PS-
Mufassil, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shobha Kumari Daughter of Bore Lal Singh Resident of Village- Baghi, PS-
Mufassil, District- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Aprajita, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-08-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 147, 148, 323, 452, 354(B), 34, 420, 376, 389, 504, 420, 313 and 314 of the Indian Penal Code and Section 3 and 4 of the Protection of Children from Sexual Offences Act.

3. It is alleged that all the co-accused including this petitioner kidnapped the complainant by administering some drug and thereafter, confined her in a room and committed rape upon her.

4. It is submitted that prior to this case, the complainant has lodged Muffasil P. S. Case No. 423 of 2018 for



the same offence in which petitioner was granted bail *vide* order dated 21.10.2019 passed in Cr. Misc. No. 23350 of 2019 (Annexure '2' to the petition). As a matter of fact, complainant on her own accord left the house and after returning back, she instituted the present case against the petitioner and other co-accused persons.

5. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional District Judge- 6th, Samastipur in connection with C.R. Case No. 114 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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