

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44904 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- MAHILA P.S. District- Araria

VIKRAM KUMAR @ VIKRAM KUMAR SAH SON OF SANJEEV
KUMAR SAH RESIDENT OF VILLAGE- PALASI, POST- POTEKNA,
WARD NO. 01, PS- TARABARI, DISTT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rabindra Kumar Priyadarshi
	:	Mr. Dheeraj Kumar
For the Opposite Party/s :		Mr. Shantanu Kumar
		Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 04-08-2023 Heard the learned counsel for the petitioner as well as
the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Araria (Mahila) P.S. Case No. 44 of 2022, registered for the offences punishable under Sections 341, 342, 323, 376/34 of the Indian Penal Code.

3. As per FIR, on 26.04.2022 at about 7:00 P.M., the petitioner along with three co-accused persons on two bikes came and forcibly lifted the victim on their motor-cycle after wrapping *Gamcha* on her mouth. The petitioner committed rape upon her by administering intoxicated medicine and subsequently the petitioner brought the informant at Gurgaon and kept her confined in a room and continuously committed sexual assault with her.



4. The learned counsel for the petitioner has submitted that the victim, in her statement recorded under Section 164 of the Cr.PC., has stated that she has solemnized marriage with the petitioner. He has submitted further that the age of the victim is 19 years, as assessed by the learned Magistrate while recording her statement under Section 164 of the Cr.P.C. He has also submitted further that the victim did not support the allegation and the petitioner and the alleged victim had solemnized marriage.

5. On the other hand, learned APP, Sri Shailendra Kumar has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Araria in connection with Araria (Mahila) P.S. Case No. 44 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

Sudha/Mahesh-

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