

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47792 of 2023

Arising Out of PS. Case No.-107 Year-2023 Thana- SAKRA District- Muzaffarpur

Govind Kumar Son Of Dilip Soni @ Dilip Kumar Resident Of Village-
Donwan, P.S. Sakra, Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gulnaz Khatoon Wife Of Late Dost Mohammad Resident Of Village-
Mathandhi Ps- Sakra, Dist- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra
For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 354, 313, 376/34 of the Indian Penal Code.

3. As per the prosecution case, the informant alleges that in the pretext of marriage, she was sexually harassed by the petitioner and forcible abortion was also done by the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the statement of the mother of the victim was recorded, in



which she has stated that the victim has solemnized marriage about 10-11 years ago and her husband is still alive and she has two children and due to some altercation with the husband she is living with her mother. He further relies on the judgment of Hon'ble Apex Court passed in the Case of *Mandar Deepak Pawar v.s The State of Maharastra & Anr. (Criminal Appeal No. 442 of 2022)*. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sakra P.S. Case No. 107 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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