

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56506 of 2022

Arising Out of PS. Case No.-878 Year-2020 Thana- MUNGER COMPLAINT CASE
District- Munger

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Banti Kumar @ Bitesh Kumar SRI ABHAY KANT SINGH Resident of
Village- Kharama, P.S.- Goradih, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangita Kumari Daughter of Late Rajendra Prasad Singh Resident of
Village- Rataitha, P.S.- Haveli Kharagpur, District- Munger

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Suman Kumar Mishra
For the Opposite Party/s :	Mr. Nagendra Prasad
	Mr. Sanjeev Ranjan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-01-2023 Heard the parties.

The petitioner apprehend his arrest in connection with Complaint Case No.878C of 2020, registered for the offence punishable under Sections 312, 376, 504 of the Indian Penal Code.

Allegedly, the marriage of the complainant was fixed with the petitioner and after fixation of marriage, petitioner and his mother demanded Rs.80000/- for fish business. It is further alleged that the petitioner used to come to the house of the complainant and made physical relation with her, as a result of which she got pregnant. The petitioner gave medicine to the complainant and advised her that the medicine is for healthy



fetus. When the complainant used the same medicine, it resulted in her miscarriage.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He further submits that it is evident from the complaint that the age of the complainant is 29 years and the petitioner is aged about 24 years. He further submits that there is no prescription or report attached by the complainant. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that there is a specific allegation against the petitioner to sexually exploit the complainant on the pretext of marriage with her.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

However, the petitioner is directed to surrender before the learned court below within four weeks and seek for regular bail



and court below shall pass the order, preferably on the same day,
in accordance with law.

(Anjani Kumar Sharan, J)

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