

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70920 of 2022

Arising Out of PS. Case No.-370 Year-2022 Thana- TRIVENIGANJ District- Supaul

1. MAHENDRA RAM S/o Late Nunulal Ram R/o Village- Auraha, Bairopatti, ward no. 06, P.S.- Triveniganj, Distt- Supaul, Distt- Supaul, State- Bihar.
2. Vikas Kumar S/o Prabhu Ram R/o Village- Auraha, Bairopatti, ward no. 06, P.S.- Triveniganj, Distt- Supaul, State- Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kuldeep Kumar

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-03-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 376, 504 and 34 of the Indian Penal Code.

As per prosecution case, on the false promise of marriage petitioner no.2 (Vikas Kumar) made sexual relationship with the informant.

Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to previous enmity and malicious intention. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits the petitioner no.1 is 70 years old and handicapped by leg. He submits that the Unique Disability I.D. Card has been



annexed as Annexure-2 to this bail petition. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for bail.

Having regard to the facts and circumstances of the case and the fact that petitioner no. 1 is 70 years old and handicapped, let the above named petitioner no.1, 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 Triveniganj P.S. Case No. 370 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Considering the facts and circumstances of case and the fact that there is specific overt against petitioner no.2, I am not inclined to enlarge petitioner no.2 on anticipatory bail. The prayer for anticipatory bail of the petitioner no.2 is hereby rejected.

(Anjani Kumar Sharan, J)

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