

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47283 of 2024

Arising Out of PS. Case No.-58 Year-2022 Thana- BALIGAON District- Vaishali

Deepak Kumar S/O Surendra Paswan R/O Village-Chakjado,P.S.-
Baligaon,Distt- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Adv.
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 06-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case
in connection with Baligaon P.S. Case No. 58 of 2022 dated
05.06.2022 registered for the offences punishable under
Sections 341, 323, 313, 376, 504, 506 read with Section 34 of
the Indian Penal Code.

3. As per the prosecution case, the informant got
married to one Chhotu Rajak who left her after the marriage.
Further, she met a boy namely Deepak Kumar (petitioner) who
allured her and started making physical relationship with her
and as a result of which she got pregnant. Further, the accused
and his family members along with 4-5 co-accused persons



sprinkled intoxicated substance on informant's mouth and took the informant to the hospital and got her operation done. The informant suspects that the hospital manager along with the petitioner and the relatives have killed the child and threw the body somewhere. She was also kept at the house of the co-accused, Mina Devi where they removed the informant's stitches.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has further submitted that earlier the petitioner has also filed a case against the informant's sister registered under Sections 147, 148, 149, 341, 323, 324, 302, 120B of the Indian Penal Code and 3(1)(a)(r)(s)/3(2)(va) of SC/ST Act. The victim is a major girl who knows the consequence of the act of the petitioner. It has further submitted that the informant has already married to one Chhotu Rajak. Learned counsel has further submitted that the victim girl and the petitioner chose to have physical relationship with their own will. Learned counsel has further submitted that no any medical prescription regarding the operation of the informant has been filed on behalf of the informant. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The co-accused, Mina Devi has



already been granted regular bail by this Court vide order dated 22.05.2023 passed in Cr. Misc. No. 21310 of 2023.

5. Learned A.P.P. for the State has opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Vaishali at Hajipur in connection with Baligaon P.S. Case No. 58 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

shivam/-

U		T	
---	--	---	--

