

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79683 of 2023

Arising Out of PS. Case No.-43 Year-2023 Thana- MAHILA P.S. District- Samastipur

Nitish Kumar Yadav @ Satyam Mridul @ Satyam Miridul S/O Gopal Yadav
Village- Mabbi, Ward No. 2, Ps. Rosera, Dist. Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vijay Anand, Adv Mr. Roop Kishan, Adv
For the Opposite Party/s :		Mr.Satyendra Narayan Singh, APP Mr. Arun Kumar Gupta, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 24-06-2024 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel appearing on behalf of the informant, Mr. Arun Kumar Gupta.

 2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 376D, 341, 342, 354, 504, 506 and 34 of the Indian Penal Code.

 3. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant for ulterior reasons. It is next submitted that even police after threadbare investigation did not find the case true under Section 376D of the IPC. It is next submitted that after the FIR was instituted, the victim was medically examined and for her medical examination, a Medical Board was also constituted but



then the Medical Board did not find any sign of sexual assault.

4. It is further submitted that informant realising her mistake in instituting the instant FIR entered into a compromise with the petitioner as would manifest from Annexure-A to the supplementary affidavit. It is further submitted that petitioner is a person with clean antecedent.

5. The learned counsel, Arun Kumar Gupta, appearing on behalf of the informant submits that he has instruction to make submission not to oppose anticipatory bail application of the petitioner.

6. In view of the submissions made by the learned counsel for the informant, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Samastipur Women P.S. Case No. 43 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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