

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86145 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- TIKAPATTI District- Purnia

Bibhuti Kumar @ Vibhuti Kumar Son of Kailash Mandal Resident of Dumri
ward No.- 14, PS- Tikapatti, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Tikapatti
P.S. Case No. 101 of 2024 registered for the offences punishable
under Section 376 of the Indian Penal Code.

3. As per the prosecution case, the allegation
against the petitioner is that, on the false pretext of marriage,
the petitioner has established physical relation with the
complainant.

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 fairly submits
that processes of Section 82 of Cr.P.C. has already been issued



against the petitioner. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail. He also relies on the judgment of Hon’ble Apex Court passed in the case of *Srikant Upadhyay and Ors. vs. State of Bihar and Anr.* (SLP No. 7940 of 2023 dated 14.03.2024).

6. Considering the facts and circumstances of case and the fact that processes of Section 82 of Cr.P.C. has already been issued against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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