

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18111 of 2015

Arising Out of PS.Case No. -156 Year- 2014 Thana -PURNEA SADAR District- PURNIA

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1. Bhanu Kumar Sah S/o Jyotish chandra Sah Resident of Village- Tinpania
Kasba, P.S- Kasba, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

For the Opposite Party/s : Mr. Iftekhar Mahmood (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 02-09-2015 Heard learned counsel for the petitioner and learned counsel
for the State.

The petitioner is languishing in custody since 08.02.2015
for the offences instituted under Sections 323, 341, 376 of the
Indian Penal Code.

The prosecution story, in brief, is that Bhanu Kumar Sah
(the petitioner) was well known and used to the family of the
informant. Taking advantage of this good relation, on 12th June,
2013 he took the informant to meet her with his family members
and administered tea at Kasba Chowk by which the informant
became nervous and the accused with the help of Rickshaw
brought her in a house at lonely place. After two hours, the
informant came to sense and finding herself alone, she became
nervous. Then the petitioner came and consoled her, but the



informant was suspicious and she insisted to return home, then the informant caused her to sit on a tempo and asked her to go Khushkibagh. On 15th June, the petitioner came to the house of the informant and showed her a video clip consisting of the naked picture of the informant. Became astonish, the informant asked the petitioner as to why he had done so, on which the petitioner consoled her that he would marry her. Thereafter, giving her promise to marry, the petitioner several times committed sexual intercourse with her during nine months. Later on, the matter was disclosed to the informant's parents and the petitioner asked dowry from the informant's father and ultimately denied to marry her.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Chargesheet has been submitted in the case and petitioner is in custody since 08.02.2015. As per the allegation it is alleged that petitioner and the victim were in living relationship for one year but since the petitioner refused to marry the victim, hence, the present prosecution has been brought against him. Petitioner denies any such relation with the victim. There is no substantive evidence to corroborate with the allegations made by the victim.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 156/ of 2014.

(Sudhir Singh, J)

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