

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24185 of 2015

Arising Out of PS.Case No. -6 Year- 2014 Thana -MAHILA P.S. District- BANKA

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1. Shravan Yadav son of Ranjit Yadav Resident of Village- Jhajha, P.S. -
Fullidumar, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rani Kumari, Advocate

For the Opposite Party/s : Mr. A.L.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-07-2015

Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since
10.03.2015 in a case registered for the offences punishable under
sections 376, 354, 323, 341, 420/120B of the Indian Penal Code.

The prosecution case is that the petitioner came to
the house of the informant on 02.12.2012 and ravished her but,
subsequently, promised to marry. Thereafter, for one year he
kept on establishing physical relationship with the informant.
The petitioner did not perform marriage. The informant lodged
the complaint on 18.12.2013.

It is submitted by learned counsel for the petitioner
that for the occurrence of 02.12.2012, the complaint was filed on
18.12.2013 which came to be registered as P.S. case on
03.02.2014 and the informant has never been medically

examined. It is further submitted that the informant has claimed in her complaint petition that she is unmarried girl whereas the husband of the informant Satrughna Kumar Yadav has filed a case against her being Complaint Case No.751 C of 2012 levelling accusation under sections 341, 323, 504, 506, 379 of the Indian Penal Code.

It is submitted by learned counsel for the informant that initially the petitioner ravished the informant and the delay in filing of the complaint was caused due to assurance given by the petitioner that he will marry with the informant.

Considering the delayed lodging of the case, no medical examination of the victim and the victim concealed this fact in the present FIR that she is married and facing the prosecution at the hands of her husband, moreover, the investigation has already concluded, let the above named petitioner 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 learned Chief Judicial Magistrate, Banka in connection with Banka (Mahila) P.S. Case No.6 of 2014.

(Dinesh Kumar Singh, J)

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