

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56258 of 2015

Arising Out of PS.Case No. -121 Year- 2015 Thana -AMAUUR District- PURNIA

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Pawan Sah @ Pawan Kumar Sah, Son of Bilash Sah, Resident of Village-
Baghdar, P.S.- Amour, District- Purnea.

.... Petitioner.

Versus

1. The State of Bihar.
2. Masomat Rupa @ Rupa Devi, wife of Late Digamar Sah, Now Wife of
Pawan Kumar Sah, Resident of Village- Baghdar, P.s.- Amour, District-
Purnea.

.... Opposite Partties.

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Appearance :

For the Petitioner : Mr.
For the State : Mr.
For the Informant/O.P. No.2: Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 22-12-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

informant/O.P. No.2.

The petitioner seeks bail in connection with Amour
P.S. Case No.121 of 2015 registered under Section 376 of the
Indian Penal Code.

The prosecution case is that the informant/O.P. No.2,
Most. Rupa alias Rupa Devi, who had three children, was sleeping
alongwith her daughter on 25.06.2015 in the house. At about
10.30 P.M. in the night, all of a sudden, the petitioner entered her

house and on the point of knife committed rape on her. When the informant/O.P. No.2 raised alarm, the people gathered there and she narrated about the incident to them. While the Panchayati was arranged but the petitioner did not obey the direction of the Panches. Thereafter, the informant/O.P. No.2 informed to her father who took her to the house of the parents of the petitioner but they did not pay any heed and due to that reason, she lodged this case.

Learned counsel appearing on behalf of the petitioner submits that the informant/O.P. No.2 and the petitioner are co-villagers and there was love affair in between the petitioner and the informant/O.P. No.2, who is young widow, but due to ulterior motive and on instigation of her parents, the informant/O.P. No.2 lodged this case. Now, the petitioner and the informant/O.P. No.2 have performed marriage and both are leading their conjugal life.

Learned counsel appearing on behalf of the informant/O.P. No.2 submits that the petitioner and the informant/O.P. No.2 have performed marriage and they are leading their conjugal life.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand)

with two sureties of the like amount each to the satisfaction of the
C.J.M., Purnea, in connection with Amour P.S. Case No.121 of
2015.

(Rajendra Kumar Mishra, J)

P.S./-

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