

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3525 of 2015

Arising Out of PS.Case No. -109 Year- 2011 Thana -BARURAJ District- MUZAFFARPUR

1. Kundan Kumar Son of Shri Laliteshwar Kumar @ Lalan Kumar resident of village - Tajpur, P.O. Baburban Tajpur, P.S. Baruraj, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Suman Kumari Singh (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 11-03-2015 Heard both sides.

The petitioner seeks bail in Baruraj P.S. Case No. 109 of 2011, registered for the offences punishable under Sections 420, 376/120B of the Indian Penal Code.

The victim alleged that while she was going to attend the coaching class in the coaching institute of the petitioner. The petitioner committed rape with her and thereafter on the pretext of marrying with the victim, the petitioner established physical relationship with the victim. Ultimately the petitioner refused to keep her, even after marrying with the victim in a temple.

Learned counsel for the petitioner submits that the victim is a major girl, but she did not raise any alarm or disclosed the facts to anybody when the petitioner firstly established

physical relationship with her. It appears that the victim has consented.

Considering the facts aforesaid and nature of allegations made against the petitioner and the fact that the petitioner is in jail since 22.09.2012, he above named is directed to be enlarged 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 Sub-Divisional Judicial Magistrate, West, Muzaffarpur in connection with Baruraj P.S. Case No. 109 of 2011.

(Prabhat Kumar Jha, J.)

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