

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38808 of 2015

Arising Out of PS.Case No. -69 Year- 2015 Thana -SALIMPUR District- PATNA

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1. Guddu Kumar @ Alok Kumar, Son of Tulsi Prasad Singh, Resident of
Village- Chatwara Chak Nizam, Police Station- Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur

For the Opposite Party/s : Mr. Durgesh Nandan (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 06-11-2015 Vakalatnama is filed on behalf of the victim which is

duly executed in favour of Sri Ravi Bhushan and Pritish Kumar

Lal Advocates.

Supplementary affidavit is filed on behalf of the

informant.

Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and also counsel for

victim.

Although, the victim has levelled very serious

allegation against the petitioner in her statement recorded under

section 164 of the Cr.P.C but submission on behalf of the

petitioner is that the victim was a consenting party and as a matter

of fact, victim, herself, along with petitioner checked in a hotel on

12.6.2015 but during the period of staying in the said hotel, victim started pressurizing the petitioner to solemnize his marriage with her and when petitioner refused to do so, the victim with the help of her brother lodged this false case and got arrested the petitioner.

Learned counsel for the petitioner drew my attention towards Para-75 of the case diary in which statement of an employee of concerned hotel has been recorded and the aforesaid employee of the hotel specifically stated that on 12.06.2015 at about 7.15 p.m one male and one female posing each other as husband and wife came in his hotel and checked in a room.

Learned counsel for the petitioner submits that according to the statement of aforesaid employee of hotel, the victim, entered into the hotel on 12.06.2015, whereas informant claimed that victim was found missing on 13.06.2015 . It is further contended by him that moreover, the victim realized her fault and she filed a petition before the court below disclosing the real fact which is evident from perusal of Annexure-2 to this petition.

Learned counsel appearing for the victim supported the above stated contention.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with

two sureties of the like amount each to the satisfaction of learned
Judicial Magistrate 1st class, Barh Patna in connection with
Salimpur P.S.Case no. 69 of 2015.

(Hemant Kumar Srivastava, J)

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