

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5432 of 2015

Arising Out of PS.Case No. -18 Year- 2014 Thana -AHIAPUR District- MUZAFFARPUR

1. Raghwendra Kumar Son of Ram Lakhan Singh Resident of Village-
Khopi Dhanushi, P.S. Runnisaidpur, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 10.02.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Ahiyapur P. S. case no. 18/2014 registered under section 376 and
other allied sections of the IPC.

Originally, informant filed complaint case against the
petitioner as well as his father and the present case was registered on
the basis of complaint case.

There is allegation against the petitioner that he established
physical relation with the informant and subsequently, promised to
marry her and thereafter, solemnized his marriage with the informant
and started residing together but allegedly, he sold the vehicle of the
informant and compelled her in flesh trading.

The contention on behalf of the petitioner is that petitioner
was driver of the informant and some dispute arose between them on

the point of payment of wages. It is contended on behalf of the petitioner that no case under section 376 of the IPC is made out as informant was consenting party and moreover, informant did not raise her voice when she was compelled to go into flesh trading.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur in Ahiyapur P. S. case no. 18/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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