

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38038 of 2015

Arising Out of PS.Case No. -309 Year- 2014 Thana -PIRO District- BHOJPUR

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1. Mukesh Kumar Son of Late Sheo Nath Singh resident of Village-
Basauni, Police Station- Piro, District- Bhojpur, Ara.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan

For the Opposite Party/s Mr. R.P.S. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

06/ 08.12.2015 Heard learned counsel for the petitioner, learned Addl.
Public Prosecutor for the State as well as learned counsel for the
informant.

Para 49 of the case diary shows that victim was found
sitting at Veer Kuwar Singh Park situated near Ramna Maidan, Ara
and police recovered her. Further, para 54 of the case diary reveals
that statement of victim was recorded under section 164 of the Cr.P.C
in which she stated that she was forcibly taken away by the petitioner
and others to Gujrat where petitioner established physical relation
with her without her will and consent but subsequently, she was
brought to her village.

Learned counsel for the petitioner submits that victim was
major at the time of alleged occurrence and when she was medically
examined, she was found between 17 to 19 years and, as a matter of
fact, there was love affair between the petitioner and the victim but

when their marriage could not be materlized, victim lodged this case at the behest of her parents.

Petitioner is in jail custody since 29.5.2015 and investigation of this case has already been completed.

Accordingly, petitioner is directed to 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, Bhojpur at Ara in Piro P.S. Case no. 309/2014.

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(Hemant Kumar Srivastava,J)

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