

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55171 of 2015

Arising Out of PS.Case No. -509 Year- 2015 Thana -PHULWARI District- PATNA

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Guddu Gupta Son of Late Raju Gupta, Residence of Mohalla- Pethiya
Bazar, Phulwarisharif, P.s.- Phulwarisharif, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 11-01-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is accused in connection with Phulwari
Sharif P.S. Case No. 509 of 2015 registered under Sections 341,
323, 313, 376 and 509 of the I.P.C. and 3(xii) of the S.C/S.T
(prevention of atrocities) Act.

The allegation of informant, Rina Kumari, is that
after death of her father, she used to reside at the house of her
maternal-uncle, Mohan Paswan at Ranipur. In that course, she fell
in love with the petitioner and developed physical relation and
also performed the marriage in the year 2010 in the temple without
information to the family members. Later on, her maternal uncle
accepted the marriage. Thereafter, petitioner came at the house of
her maternal-uncle and stayed in the night, in that course, she
conceived pregnancy but on the pressure of the petitioner, she

aborted the pregnancy. When the informant asked the petitioner to keep her at his house then he used to avoid. Thereafter, she herself went to the house of the petitioner where she was assaulted by him denoting her name *Dusad*. Later on, petitioner came at the house of her maternal-uncle and told that he had only physical relation with her and refused to keep her.

Learned counsel appearing on behalf of the petitioner submits that in fact, the petitioner has performed the marriage with the informant but later on, she used to develop physical relation with other person. When the petitioner made protest then the informant has filed the present case with false allegation. It is also submitted that informant is major, whose age has been assessed 24 years as per statement recorded under section 164 Cr. P.C. It is further submitted that petitioner is in custody since 15.09.2015.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of J.M., 1st Class, Patna in connection with Phulwarishrif P.S. Case No. 509 of 2015.

(Rajendra Kumar Mishra, J)

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