

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10435 of 2017

Arising Out of PS.Case No. -51 Year- 2016 Thana -MAHILA PS District- KHAGARIA

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Umesh Paswan son of Sri Medini Das @ Medini Paswan, resident of
Mohalla Gulab Nagar, PS-Chitragupta Nagar, District-Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachin Kumar

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 24-04-2017 Heard both sides.

The petitioner apprehends his arrest in Khagaria
(Mahila) P.S. Case No. 51 of 2016, G.R. No. 2263 of 2016
registered for the offences punishable under sections 420, 376 and
506 of the Indian Penal Code.

The victim alleged that the petitioner established
physical relation with her on the pretext of providing her job in
Bihar Home Guard and he also took Rs. 25,000/- from her.

Learned counsel for the petitioner submits that
the petitioner did not have any relation with the victim. The
victim earlier married with one Abhishek Kumar Gupta and she
already deserted her husband. The Doctor did not find any sign of
rape. During the course of investigation, the witnesses have stated
that the victim earlier married with Abhishek Kumar Gupta, got



children but she started living in the town after deserting her husband. The petitioner developed love affairs with the victim.

It appears that the petitioner is Driver of Civil Court, Khagaria, but the victim made allegation that the petitioner sexually exploited her. During the course of investigation, the Police did not find the allegation true that the petitioner took money from the victim, who deserted her husband.

Considering the facts and circumstances, the petitioner, Umesh Paswan, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- within two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Khagaria in connection with Khagaria (Mahila) P.S. Case No. 51 of 2016, G.R. No. 2263 of 2016, subject to the condition as laid down under section 438 (2) of the Cr. P.C.

(Prabhat Kumar Jha, J)

Mahesh/-

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