

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24351 of 2017

Arising Out of PS.Case No. -42 Year- 2016 Thana -MAHILA PS District- JEHANABAD

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1. Ravi Sharma @ Ashwini Kumar Son of Ram Vinay Sharma @ Ramvinay Singh, R/o Village- Galimapur, P.S.- Shakurabad, District- Jehanbad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 20-07-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Jehanabad Mahila P.S. Case NO. 42 of 2016, disclosing offences under Sections 376, 120B,504,506 and read with Section34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner appears to be right in his submission that on the basis of what has been alleged in the First Information Report, no offence under Section 376 of the Indian Penal Code is said to be made out since admittedly the prosecutrix is major and whatever relationship was established there between the petitioner and the prosecutrix, was consensual in nature.

Considering the above submissions, this application is allowed.



Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, 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 the learned Chief Judicial Magistrate, Jehanabad in Jehanabad Mahila P.S. Case No. 42 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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