

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60977 of 2017

Arising Out of PS.Case No. -210 Year- 2017 Thana -PIRO District- BHOJPUR

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Anil Singh @ Jai Prakash @ Jai Prakash Singh, son of Kamleshwar Singh
aged about 26 years, Resident of Village- Hat Pokhar, P.S.- Piro, District-
Bhojpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Om Prakash Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, APP

For the Informant : Mr. Ram Chandra Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 21-12-2017

Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner seeks pre-arrest bail in connection
with Piro P.S. Case No. 210 of 2017 registered under Sections
376 and 120B of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that even if the entire allegations made in the FIR are
taken to be true, the ingredients of the offence punishable under
Section 376 of the Indian Penal Code would not be attracted. He
submitted that the informant being a matured lady aged about 22
years herself admits that she regularly established physical
relationship with the petitioner since the last three years and



when the petitioner refused to marry her, the case has been instituted.

On the other hand, learned counsel for the informant vehemently opposed the application for grant of pre-arrest bail to the petitioner. He submitted that the petitioner had established physical relationship with the informant on the pretext of marriage and after continuing relationship for three years, he refused to marry her. He submitted that the informant has also supported the allegation in her statement made under Section 164 of the Cr. P.C.

I have heard learned counsel for the parties.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Bhojpur, Ara in connection with Piro P.S. Case No. 210 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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