

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28887 of 2017

Arising Out of PS.Case No. -403 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

=====

Mukesh Kumar Son of Bhagirath Kaji, Resident of Village- Khamaura,
Police Station- Laukaria, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Sanjay Kumar No.-7, Advocate.

For the Opposite Party : Mr. Narendra Kumar Singh, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-07-2017 Heard both sides.

The petitioner seeks bail in Shikarpur P.S. Case No. 403
of 2016 registered for the offences punishable under Sections 376,
313 and 420 of the Indian Penal Code.

The informant prosecutrix alleged that she was
working as a teacher in a school. The petitioner was also working
as a teacher in the school. The prosecutrix developed intimate
relation on the assurance of marriage. The prosecutrix became
pregnant but the petitioner refused to marry with her.

Learned counsel for the petitioner submits that from
perusal of the FIR it would appear that the victim/prosecutrix was
a consenting party and no offence under Section 376 of the Indian
Penal Code is made out. Admittedly, the prosecutrix is a major.



Considering the facts aforesaid and the fact that the petitioner is in jail since 18.04.2017 and the prosecutrix being a major appears to be consenting party, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in Shikarpur P.S. Case No. 403 of 2016.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--

