

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1469 of 2017

Arising Out of PS.Case No. -118 Year- 2017 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

=====

Rajan Kumar @ Rajan Kumar Patel, son of Ramjee Patel, resident of Block
Road Himalay Cinema Chowk, Narkatiaganj, Police Station- Shikarpur,
District- West Champaran.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Brij Kishor Mishra, Adv.

For the Respondent/s : Smt. Usha Kumari No. 1, Spl. P.P.

Mr. Anant Kumar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-07-2017 This appeal is for grant of regular bail in connection

with Shikarpur P.S. Case No. 118 of 2017 registered for the

offence under section(s) 376, 420, 406 of the Indian Penal Code

and section(s) 3 (1) (X) of the SC/ST (POA) Act.

Submission of the learned counsel for the appellant is

that as a matter of fact, there was love affairs between the

appellant and the informant and thereafter, the appellant married

with another lady, but the informant taking advance of that, has

lodged a false and concocted case of physical relationship with her

and also taken away Rs. 1,10,000/-. Even if it is presumed that the

appellant had developed physical relationship with the informant,

it was with her consent and she is major. The appellant is in



custody since 07.04.2017.

Heard learned Special Public Prosecutor as well as learned counsel for the informant. Learned counsel for the informant has opposed the prayer for bail stating that the appellant has developed physical relationship with the informant and has taken Rs. 1,10,000/-.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is allowed and the impugned order is set aside.

Let the appellant, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/-(Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional District and Sessions Judge-cum-Special Judge, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 118 of 2017, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate in the disposal of trial and make himself available as and when required by the



court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine rhyme or reasons, the prosecution will have liberty to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

Mahesh/-

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

