

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12300 of 2018

Arising Out of PS. Case No.-41 Year-2017 Thana- MAHILA P.S. District- Banka

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Prem Rajak S/o Devan Rajak, R/o Village- Muhammadpur (Mummadpur),
P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad
For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

5 18-04-2018 Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner, already in custody, seeks bail in connection
with Banka (Mahila) PS Case No.41 of 2017 registered under
Sections 376, 493, 504, 506 and 323/34 of the Indian Penal
Code.

Allegation in brief is that the petitioner on the promise
to marry with the prosecutrix established sexual relationship and
continued the relationship for one year, even a child was born,
when the prosecutrix put pressure for marriage, the petitioner
refused.

Submission is that the girl was major above 18 years
of age and as per the allegation itself it was a consensual
relationship and there was nothing in the case diary that a child



was born except the statement.

Having considered the aforesaid facts and circumstances, petitioner Prem Rajak is directed to 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 learned ACJM-IV, Banka in connection with Banka (Mahila) PS Case No.41 of 2017.

(Arun Kumar, J)

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