

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36877 of 2018

Arising Out of PS. Case No.-471 Year-2018 Thana- AHIAPUR District- Muzaffarpur

Sushil Kumar son of Khesari Sah, resident of Village- Berwas, P.S.- Dumra,
District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Mr. S. Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Ahiyapur P.S. Case No. 471 of 2018 registered for offences under sections 376 of the Indian Penal Code.

In the present case, an allegation has been made that on the pretext of commitment of marriage, the petitioner has established physical relationship with the Informant and continued for one year. The petitioner used to call the Complainant in Gujrat and he, without her consent, established the physical relationship.

It appears that there is a consensual relationship between the parties.



Looking to the entire facts and circumstances of the case, let the petitioner, namely, Sushil Kumar, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 471 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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