

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62137 of 2018

Arising Out of PS. Case No.-93 Year-2015 Thana- GHOGHARDIHA District- Madhubani

Tara Kant Singh @ Tara Singh Son of Baidyanath Singh, resident of Village-
Dhaturaha, Police Station- Marauna, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-11-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Ghoghardiha P.S. Case
No. 93/2015, instituted under Sections 323, 379, 354, 354(B)
(C), 376, 504 and 34 of the Indian Penal Code.

It is alleged in the written report that marriage of son
of *Mausi* of informant was solemnized with sister of this
petitioner on 13.03.2014. It is alleged that on the day of
marriage, when the informant had gone to attend call of nature,
this petitioner committed rape with her. Thereafter he continued
to establish physical relationship with informant on the pretext
of marriage. The informant became pregnant. The petitioner
refused to marry with informant.

Learned counsel for the petitioner has submitted that



in para 6 of case diary informant has stated that she was in love with this petitioner and on the promise of marriage both had established physical relationship. It is further submitted that in para 40 of case diary victim girl has given statement under Section 164 Cr.P.C.

From the statement of the victim girl recorded under Section 164 Cr.P.C. and her statement recorded in para 6 of case diary, it appears that relationship of the petitioner with informant continued for more than one year. The case has been lodged when petitioner refused to marry with informant.

Petitioner is in custody since 05.06.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 the learned S.D.J.M., Jhanjharpur, Madhubani in connection with Ghoghardiha P.S. Case No. 93/2015, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J.)

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