

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60104 of 2018

Arising Out of PS.Case No. -261 Year- 2018 Thana -KADWA District- KATIHAR

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1. Kusum Lal Das, aged about 46 Years, S/o Jagdish Das, R/o Vill.- Gairia,
P.S.- Kadva, Distt.- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saghir Ahmad

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 28-09-2018 Heard both sides.

The petitioner seeks bail in Kadwa P.S. Case No.261
of 2018 registered under Sections 420, 376 and 354(B) of the
Indian Penal Code.

The informant alleged that the petitioner came to her
house and on the pretext of providing her land, the petitioner
established physical relation with her on 28.12.2017. The
petitioner again came to the house of the informant on 22.07.2018
and tried to establish physical relation but on alarm, many persons
came and caught the petitioner. Later on, the petitioner was
handed over to the police.

Learned counsel for the petitioner submits that the
victim is a major lady. The petitioner and victim were having good



relation but later on, on account of some petty dispute, the petitioner has been implicated in a false case. It is further submitted that victim has given her statement under Section 164 Cr.P.C. and she disclosed altogether different story that the petitioner took her to different hotels and have sexual relation with her.

Considering the facts aforesaid and the nature of allegation made against the petitioner and the fact that victim is a major woman aged about 28 years and she voluntarily have sexual relation with the petitioner, 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 A.C.J.M. IV, Katihar in connection with Kadwa P.S. Case No.261 of 2018.

(Prabhat Kumar Jha, J)

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