

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65002 of 2018

Arising Out of PS. Case No.-25 Year-2018 Thana- MAHILA P.S. District- Lakhisarai

Rakesh Kumar @ Dablu son of Late Prakash Mahto Resident of Village-
Mahsauri P.S. Piri Bazar, Distt.-Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary-1, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 14-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Mahila P.S. Case No.25 of 2018 registered under Sections
376 and 418 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that the first information report in question would not
attract ingredients of Section 376 of the Indian Penal Code. He
further contended that the informant was a married lady and had
established physical relationship with the petitioner out of her
own consent and the relationship continued for about three
years.

On the other hand, learned counsel for the State
submitted that the petitioner had cheated the informant of the



case by assuring her that he would marry and for three years he sexually exploited her and when she took divorce from her husband and asked the petitioner to marry, he refused to marry her.

Considering the allegations made in the first information report and the submissions advanced at the Bar, in the event of arrest or surrender before the court below within six weeks from today, the petitioner 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 S.D.J.M., Lakhisarai in connection with Mahila P.S. Case No.25 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md. S/-

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