

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3481 of 2018

Arising Out of PS.Case No. -165 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Raushan Kumar, Son of Ramesh Sahni, resident of Village- Chandsarai,
P.S. Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 27-03-2018

Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Mahua PS case no. 165 of 2017 registered for
the offences punishable under Sections 376, 447, 506, 504/34 of
Indian Penal Code and 4/8 of POSCO Act.

The allegation against the petitioner is regarding
having sexual intercourse with the victim girl on various occasions
and thereafter, denying the proposal of marriage with the victim
girl.

The learned counsel for the petitioner submits that
the medical report would show that the present case was not a case
of forced sexual intercourse and moreover, the age of the victim



girl has been found in between 17 to 19 yrs. It is further submitted that the statement of the victim girl recorded under Section 164 of Code of Criminal Procedure would also show that the alleged sexual intercourse between the victim girl and the petitioner herein might have been consensual.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I-Special Judge, Vaishali at Hajipur in Mahua PS case no. 165 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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