

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69960 of 2018

Arising Out of PS. Case No.-249 Year-2018 Thana- KORHA District- Katihar

Rajesh Kumar, Son of Late Kamdeo Mahto, resident of Village- Gerabari
Durga Asthan Naya Tola, P.S. Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 17-12-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Korha P.S. Case No. 249 of 2018** instituted for the offence under Section(s) 376 Indian Penal Code.

It is alleged in the written report that on the date of occurrence, he entered in the house of the informant and committed illegal act with informant. She raised alarm upon which her grand-mother awoke and caught this petitioner and handed over to the police.

It has been submitted that the informant has given her statement before the police under Section 161 Cr.P.C., wherein, she has stated that she was having love affair with this petitioner for last five years and both were establishing physical



relationship with consent. The statement of victim was recorded under Section 164 of Cr.P.C., wherein, she has stated her age as 25 years. The Court has assessed her age as 20 years.

Petitioner is said to be in custody since 04.07.2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Sessions Judge, 1st-cum-Special Judge, Katihar**, in connection with **Korha P.S. Case No. 249 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-
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