

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13811 of 2018

Arising Out of PS. Case No.-43 Year-2017 Thana- MAHILA P.S. District- Nawada

Sanjay Yadav, son of Masudan Yadav, Resident of Village- Jethsari, Police Station- Govindpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

9 26-07-2018 Heard learned counsel for the petitioner, the learned APP for the State as well as learned counsel appearing on behalf of the informant.

Petitioner, already in custody, seeks bail in connection with Mahila P.S. Case No.43 of 2017 registered under Sections 376(D)/420/114/506/34 of the Indian Penal Code.

Allegation in brief is that the petitioner on the pretext of providing job to the prosecutrix established sexual relationship. Later on, his brother-in-law also committed rape.

Learned counsel for the petitioner submits that as per allegation itself, it appears a consensual relationship, the prosecutrix is a married lady and the present case was lodged after six months of delay; moreover she has also retracted from some part of accusation made in the FIR in the statement recorded under



Section 164 Cr.P.C. and the petitioner has been in custody for last seven months.

Learned counsel for the informant opposes the prayer of bail of the petitioner.

Having considered the aforesaid facts and circumstances, petitioner Sanjay Yadav 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 CJM, Nawada in connection with Mahila P.S. Case No.43 of 2017.

(Arun Kumar, J)

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