

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3090 of 2019

Arising Out of PS. Case No.-251 Year-2018 Thana- MANIHARI District- Katihar

Manish Choudhary @ Manish Kumar aged about 21 years (Gender-M), son of Ramesh Choudhary, Resident of Village-Maraline, P.S. Manihari, District-Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-01-2019 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Manihari P.S. Case No. 251 of 2018 registered for the offence punishable under Sections 376/34 of the Indian Penal Code.

The allegation is regarding the petitioner having established sexual relationship with the informant and upon denial of marriage with her, the informant is said to have filed the present case.

The learned counsel for the petitioner has referred to the statement of the victim lady made under Section 164 Cr.P.C. before the learned Magistrate and has submitted that admittedly it is a case of consensual sex and since the victim lady is a major, no offence is made out for the allegations levelled



against the petitioner. It is further submitted that the petitioner has a clean antecedent and he is in custody since 11.12.2018.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Manihari P.S. Case No. 251 of 2018.

(Mohit Kumar Shah, J)

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