

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12435 of 2019

Arising Out of PS. Case No.-24 Year-2018 Thana- MAHILA P.S. District- Patna

RAKESH SHARMA, Son of Late Ramchandra Mistri, R/o village- Ram
Nagar (Hirdan Bigha), P.S- Barhiya, Dist.- Lakhisarai, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate
		Mr. Avinash Shekhar, Advocate
For the Opposite Party/s	:	Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 03-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Mahila P.S. Case No.24 of 2018** instituted for the offence under Section(s) 376, 509 Indian Penal Code.

In the written report, it is alleged that there was love affairs between the informant and petitioner. They established physical relationship several times. The petitioner finally did not perform marriage with the informant.

Statement of the victim recorded under Section 164 Cr.P.C. has been enclosed as Annexure-3. The victim has stated her age as 28 years and the Court has also assessed her age as 28 years. In the statement, she has stated that on the pretext of



performing marriage the petitioner has established physical relationship with the informant several times. Finally, the petitioner did not perform marriage.

From the statement of the victim recorded under Section 164 Cr.P.C. and the allegation, it appears that all the acts have been done with consent of informant.

Learned counsel for petitioner has submitted that the girl is major.

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 bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Judicial Magistrate, 1st Class, Patna**, in connection with **Mahila P.S. Case No.24 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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