

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24810 of 2019**

Arising Out of PS. Case No.-22 Year-2018 Thana- MAHILA PS District- Gaya

=====

Shailesh Kumar, S/o Shri Sanjay Paswan @ Sanjai Kumar, Resident of Barki
Delha, Vijay Bigha, P.S.- Delha, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sudha Chandra, Advocate

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

=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 25-06-2019 This is an application for grant of anticipatory bail in

connection with Mahila (Gaya) P.S. Case No. 22 of 2018

disclosing offences under Sections 376, 504, 34 of the Indian

Penal Code and Section 4 of Dowry Prohibition Act.

Allegation as per the F.I.R. is that petitioner had

physical relationship with the informant on the pretext of

marriage and thereafter, he refused to marry her and also

threatening the informant.

Submission of the learned counsel for the petitioner is

that F.I.R. itself shows that there was love affair between the

parties and the girl was 19 years of age and the F.I.R. further

shows that the sexual relationship was with consent of the

informant. It has further been submitted that during the

investigation, DSP does not support the prosecution case.



Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, who opposed the prayer for bail.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Sub Divisional Judicial Magistrate, Gaya, in connection with Mahila (Gaya) P.S. Case No. 22 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

U		T	
---	--	---	--

