

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32593 of 2019

Arising Out of PS. Case No.-511 Year-2018 Thana- GARDANIBAG District- Patna

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Jitender Kumar @ Jeetu, Aged about 26 years, Male, Son of P.M. Meena,
Resident of House No. 38, Gali No.02, Shahbad Extension Sector-17, Rohini
Sector-15, P.O.+P.S.- KN Katju Marg Rohini Sector-16, District- West Delhi,
Pin Code 110089.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Suraj Narayan Prasad Sinha, Sr. Advocate
		Mr. Aditya Prakash Sahay, Advocate
For the State	:	Mr. Ram Sevak Choudhary, APP
For the Informant	:	Mr. Manoj Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-05-2019 Heard Mr. Suraj Narayan Prasad Sinha, the learned

Senior counsel for the petitioner, the learned Additional Public

Prosecutor and the learned counsel appearing on behalf of the

informant.

Petitioner apprehends his arrest in Gardanibag P.S.

Case No.511 of 2018, registered under Sections 376 and 493 of

the Indian Penal Code.

The informant disclosed in her written petition that

she developed friendship with the petitioner on facebook. The

petitioner was Engineering Graduate from Delhi University. The



petitioner taking advantage of friendship came to Patna and saw the informant in Patliputra Continental Hotel, Anisabad and on much persuasion and on assurance the petitioner established physical relation with her but later on the petitioner refused to marry with the victim.

Learned counsel for the petitioner submits that the petitioner has already solemnized marriage with the victim. The marriage is also registered before the Registrar, Marriage. The victim-informant was major and she with her free will and consent had sexual relation with the petitioner before her marriage hence no offence under Section 376 or 493 of the Indian Penal Code is made out. Now the petitioner solemnized marriage.

Learned counsel for the informant submits that the petitioner and the informant are living together as husband and wife after solemnizing marriage.

Considering the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged 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 learned Sub-Judge, 14-cum-



A.C.J.M., Patna in connection with Gardanibag P.S. Case
No.511 of 2018, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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