

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32438 of 2019**

Arising Out of PS. Case No.-707 Year-2018 Thana- ARA NAGAR District- Bhojpur

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RAUSHAN RAJ Son of Late Keshav Prasad Resident of Gola Road, Police Colony, Police Station- Danapur, District- Patna (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Narendra Kumar

For the Opposite Party/s : Mr.Anita Kumari Singh

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

2      16-05-2019              Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Ara Town P.S.Case no.707 of 2018 , registered for offences punishable under Sections 376/420 of the Indian Penal Code.

Allegation against the petitioner as per the complaint petition is that the petitioner has love affair with the complainant and thereafter they have physical relationship but later on he refused to marry her and continued to have physical relationship.

Submission of the learned counsel for the petitioner is that the girl has herself disclosed her age as 21 years and the allegation shows that it was consensual. It does not come under the purview of Section 376 of the IPC.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Ara in connection with Ara Town P.S.Case No.707 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

**(Vinod Kumar Sinha, J)**

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