

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38148 of 2019**

Arising Out of PS. Case No.-4 Year-2019 Thana- MAHILA PS District- Jehanabad

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MANOJ KUMAR @ FANTOOSH YADAV Son of Siddhnath @ Lala Yadav
Resident of Village- Jaitiya, P.S.- Makhdumpur, District- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-08-2019 Petitioner seeks bail in anticipation of his arrest in connection with Jehanabad Mahila P.S. Case No. 04 of 2019, registered for the offence punishable under Section 376 and of the Indian Penal Code.

Allegation against the petitioner as per the written report lodged by the informant aged about 19 years is that she had love affairs with the petitioner and he called her by mobile phone and thereafter committed rape with her and left her.

Submission of the learned counsel for the petitioner is that statement of victim recorded under Section 164 of the Cr.P.C. clearly disclosed that she is consenting party in the commission of sexual intercourse and it also appears that she was major aged about 19 years at the time of occurrence.

Heard learned A.P.P. also, who has opposed the prayer



for anticipatory bail of the petitioner.

In view of the above facts and circumstances, 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 Chief Judicial Magistrate, Jehanabad, in connection with Jehanabad Mahila P.S. Case No. 04 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the Court concerned.

(Vinod Kumar Sinha, J)

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