

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33496 of 2019

Arising Out of PS. Case No.-452 Year-2018 Thana- BARAUNI District- Begusarai

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1. MANOJ CHAUDHARY Son of Chhedi Chaudhary Resident of Village - Musadpur, P.S.- Barauni, District- Begusarai
 2. Sanjay Chaudhary Son of Chhedi Chaudhary Resident of Village - Musadpur, P.S.- Barauni, District- Begusarai
 3. Sunny Kumar Son of Manoj Chaudhary Resident of Village - Musadpur, P.S.- Barauni, District- Begusarai

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ritu Devi Wife of Late Rabindra Paswan Resident of - Mosadpur, P.S.- Barauni, District- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-08-2019 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Barauni P.S.Case No.452 of 2018 , registered for offences punishable under Sections 376/511 of the Indian Penal Code.

Prosecution story is that the informant was due to received Rs.08 lac as compensation of the Insurance Company and the petitioner getting knowledge of the same developed intimacy with her and thereafter having sexual relationship with her on the plea that he will marry but later on did not keep the promise and left her.



Submission of the learned counsel for the petitioners is that earlier to that the mother of the petitioner had lodged a complaint case against the informant and others with respect to pressuring the petitioner to marry the informant and as such this case has been logged. It is further submitted that the FIR itself shows that she was a married lady and even if it is expected that there was any sexual intercourse between the parties, that is consensual.

Heard learned A.P.P. who has opposed the prayer for bail on the ground that there is allegation.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai in connection with Barauni P.S.Case No.452 of 2018, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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