

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37262 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- MAHILA P.S. District- Patna

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PRAKASH KUMAR, Son of Bindeshwari Prasad @ Bindeshwari Paswan,
Resident of Village - Saidanichak, P.S.- Parsa Bazar, Distt - Patna.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Dineshwar Mishra
For the Opposite Party/s	:	Mr.Ajay Kumar No. 2
For the informant	:	Mr. Ranjit Kumar Yadav

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3/ 24-07-2019

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the informant.

Petitioner seeks bail in **Mahila P.S. Case No.11 of 2019** instituted for the offence under Section(s) 376 Indian Penal Code.

In the written report, it is alleged that the petitioner on the pretext of performing marriage has established physical relationship with her for last one and half year.

The victim has given statement under Section 164 Cr.P.C., wherein, she has stated that she was in friendship with this petitioner and he established physical relationship with her. She has stated in her statement that if the petitioner will perform marriage with her, she will withdraw the instant case.

Counsel for the petitioner submits that Petitioner is in custody since 15.02.2019.



From the written report, it appears that informant was having friendship with the petitioner for last one and half year and all the acts were done with her consent.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released 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 **Judicial Magistrate, 1st Class, Patna**, in connection with **Mahila P.S. Case No.11 of 2019**, subject to the condition that both the bailors shall be close relative of the petitioner.

The petitioner is directed to settle the matter with the informant and, if possible, perform marriage with her. The Court below shall also take initiative to get the matter settled between the parties through mediation.

(Sanjay Priya, J)

J. Alam/-

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