

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55097 of 2019

Arising Out of PS. Case No.-71 Year-2018 Thana- ANTICHAK District- Bhagalpur

Puran Pandit Son of Mahendra Pandit Resident of Village-Sangit Batta, P.S.-
Antichak, District-Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Gupta

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 376, 341, 323, 448, 504,
506/34 of the Indian Penal Code.

The accusation against the petitioner is that on
29.11.2017 he established physical relation with informant and
thereafter he assured her to solemnize marriage with her and on
the basis of aforesaid assurance he continued establishing
physical relation with informant for near about ten months.
However, the informant became pregnant and thereafter the
present case was lodged on 24.10.2018.

Learned counsel appearing for the petitioner submits



that admittedly, the informant was major at the time of alleged occurrence and even if the prosecution story assumed to be true, then also, the informant was a consenting party and, therefore, no case under Section 376 of the I.P.C. is made out and at best, it is a case of Section 417 of the I.P.C. which is bailable in nature.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that petitioner is in jail custody since 25.12.2018 and investigation against him has already been completed, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, Bhagalpur in connection with Antichak P.S. Case No. 71 of 2018.

(Hemant Kumar Srivastava, J)

shahzad/-

U		T	
---	--	---	--

