

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53453 of 2019**

Arising Out of PS. Case No.-106 Year-2018 Thana- ARA MUFFSIL District- Bhojpur

PANKAJ PASWAN S/o Bhuneshwar Paswan R/o Village- Bariswan, P.S.-  
Sahapur, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Harsh Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      29-08-2019                      Heard learned counsel for the petitioner and the  
learned APP for the State.

The petitioner seeks bail in Ara Muffasil P. S. Case  
No. 106 of 2018    instituted for the offence under Section(s)  
376, 323, 379, 504, 506 of the Indian Penal Code.

Learned counsel for petitioner submits that from the  
written report itself it would appear that the victim and  
petitioner were known to each other and physical relationship  
was established between them for the last two years.

The victim has given her Statement U/s 164 Cr.P.C.,  
wherein, she has stated that petitioner is younger brother of her  
sister's husband. He used to stay at her house 2-4 days and  
also established physical relationship with her.

In this manner, physical relationship was established



between the victim and petitioner for the last two years therefore it cannot be said that physical relationship between the victim and petitioner was going on without her knowledge and consent. The victim girl has refused to present herself before the Medical Board for examination.

Petitioner is in custody since 8.6.2019 having no criminal antecedent. .

Considering the aforesaid, 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 CJM Ara in connection with Ara Muffasil P. S. Case No. 106 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

**(Sanjay Priya, J)**

shyambihari/-

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