

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56170 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- HATHIDAH District- Patna

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Dipak Kumar Son of Rama Shankar Chaudhary Resident of Malipur, P.S.-
Gadhpura, District- Samastipur, now Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gouranga Chatterjee, Advocate
For the Opposite Party/s : Mr.Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 06-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Section 376 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The informant was in physical relation with the petitioner voluntarily as both were to marry each other. Later on marriage could not be solemnized, hence, the FIR.

Submission is that the victim is a consenting party. Hence, offence under Section 376 of the Indian Penal Code is not made out.

Finding substance in the submission aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the



like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Hathidas P.S. Case No.34 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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