

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58575 of 2019

Arising Out of PS. Case No.-91 Year-2019 Thana- GAYA MUFASIL District- Gaya

GAUTAM KUMAR S/o Akhilesh Prasad R/o village- Kewali, P.S.-
Khudaganj, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Manish Kumar, Advocate
For the State	:	Mr. Nagendra Prasad, APP
For the informant	:	Mr. Shailesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-09-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner seeks bail in a case registered under
Section 376 of the Indian Penal Code.

Allegation is that on the pretext of marriage the
petitioner established physical relationship with the victim.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 25.06.2019 and has got no
criminal antecedent. Charge sheet has been submitted in this
case. There is no allegation of tampering of witnesses alleged
against the petitioner. The petitioner has falsely been implicated
in the present case. Consensual physical relationship is said to
have been established on the pretext of marriage. Subsequently



performance of marriage was denied by the petitioner. Hence for the said reason, the present case has been instituted. The petitioner has further relied upon the judgment of the Hon'ble Apex Court in the case of Dr. Dhruvaram Murlidhar Sonar vs. The State of Maharashtra & ors., reported in 2019 SCC online SC 3100.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 C.J.M., Gaya in connection with Moffasil Gaya P.S. case No.91 of 2019.

(Sudhir Singh, J)

Narendra/-

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