

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69919 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- MAHILA P.S. District- Vaishali

Chandrabhushan Kumar, Son of Fekan Paswan, Resident of Village -
Chaitola, P.S.- Hajipur, District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party	:	Mr. Satyendra Prasad, APP
For the Informant	:	Mr. Chandra Kant, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Vaishali Mahila P.S. Case No.14 of 2019 registered for the
offences punishable under Sections 341, 323, 504 and 376 read
with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner
that from perusal of the first information report itself, it would
be manifest that the informant being an adult had established
physical relationship with the petitioner out of her own sweet
will. In that view of the matter, there is no application of the
ingredients of the offence punishable under Section 376 of the
Indian Penal Code. It is further contended that all other offences
alleged in the first information report are bailable in nature.



Learned counsel for the State being assisted by the learned counsel for the informant have vehemently opposed the application for grant of pre-arrest bail to the petitioner.

Considering the nature of allegation made in the first information report as also the submissions made on behalf of the petitioner, in the event of arrest or surrender in the court below within a period of six weeks, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali Mahila P.S. Case No.14 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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