

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1144 of 2020

Arising Out of PS. Case No.-61 Year-2019 Thana- MAHILA P.S. District- Rohtas

CHANDAN KUMAR S/o - Nand Lal Mahto @ Nand Lal Singh Resident of
Village- Lakhanu Saray (Bada Neem), Police Station- Sasaram Town, Distt-
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case
registered under Section 376 of the Indian Penal Code.

Prosecution allegation, in short, is that six years ago,
on assurance of marriage, the accused person established
physical relation with the informant.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against



the petitioner. The petitioner has falsely been implicated in the present case. As per the allegation, on the pretext of marriage, the petitioner is said to have established physical relation with the victim. The said physical relationship is consensual. The petitioner has further placed reliance of a case of the Hon'ble Supreme Court since reported in ***2019 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharastra & Ors.***

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

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of Sri Sachin Kumar, J.M. 1st Class, Sasaram in connection with Mahila P.S. Rohtas Case No. 61 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection



with the aforesaid case.

(Sudhir Singh, J)

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