

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12737 of 2020

Arising Out of PS. Case No.-28 Year-2019 Thana- MAHILA P.S. District- Muzaffarpur

AKHILESH KUMAR, aged about 19 years (Male), Son of Birendra Paswan,
Resident of village - Turki, P.S.- Kurhni, Dist.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vijay Kumar @ Vijay Kr. Singh, Advocate.
For the Opposite Party : Mr. Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-03-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 376, 493, 496, 323, 341, 504, 506/34
of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the informant
got married with Mithun Paswan in the year 2011. Her husband
died on 18.04.2017 and she has two children Rohan Rai and
Rohit Rai. After the death of her husband, her family members
and the villagers made proposal of marriage with Akhilesh
Kumar. Her Dewar lived at Delhi accepted the proposal and
took her together with to Delhi and she remained there for three
months and thereby he used to establish physical relationship on
pretext of marriage and after three months, she brought to his



residence at Turki. It is also alleged that Akhilesh Kumar, Birendra Paswan, Maya Devi, Rajesh Paswan, Munni Devi, Sudhir Kumar, Sanju Devi they demanded dowry of cash amount of Rs. 1,00,000/- and a Motorcycle where upon she expressed in ability of her father as being labourer and thereby they all in together snatched away jewellery, clothes and driven out from residence.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 24.05.2019. The petitioner has got no criminal antecedent. He has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. On the pretext of marriage, consensual physical relationship was established. Later on, the petitioner has denied from marriage the victim. The petitioner has further relied upon 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, 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 the learned S.D.J.M. (West), Muzaffarpur in connection with Muzaffarpur Mahila P.S. Case No. 28 of 2019.

(Sudhir Singh, J)

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