

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15795 of 2020

Arising Out of PS. Case No.-164 Year-2019 Thana- MAHILA P.S. District- Nalanda

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GULSHAN KUMAR S/o Late Kamalakar Prasad Singh R/o village- Saday
Bigha, P.S.- Birupur, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun

For the State : Mr.Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2020 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 and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 376, 420 & 120(B) of the Indian
Penal Code.

Allegedly, on the pretext of marriage, the petitioner
established physical relationship with the victim/informant and
later on, he refused to marry her.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation



of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. It is a consensual relationship between the petitioner and the informant. On the pretext of marriage, physical relationship was established by the petitioner with the informant. Counsel for the petitioner further relied upon the case of the Hon'ble Supreme Court since reported in 2019 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sorav-Versus-The State of Maharashtra & Ors).

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid 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 learned Sub Divisional Judicial Magistrate, Hilsa, Nalanda in connection with Mahila P.S. Case No. 164 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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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