

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25944 of 2020

Arising Out of PS. Case No.-55 Year-2019 Thana- MAHILA PS District- Darbhanga

Raj Kapoor Kumar @ Raj Kumar Kapoor Kumar S/o Suresh Kumar Mandal
Resident of Village-Telhan, P.S.-Sadar, District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 01-12-2020 Heard Mr. Abhay Kumar Singh, learned counsel
for the petitioner and Mr. Ram Priya Sharan Singh,
learned APP for the State.

The petitioner seeks bail in connection with Darbhanga Sadar Mahila P.S. Case No. 55 of 2019 dated 05.07.2019 instituted for the offences under Sections 323, 376, 313, 504, 506 and 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecutrix has alleged that when she was a minor, she came in contact with the petitioner with whom the petitioner made sexual relation on the pretext of marrying her. When she came of age and proposed for marrying the petitioner, his family members demanded dowry. Thus, it has been alleged that she was



sexually exploited during her minority for about three years and the promised marriage never took place.

Learned counsel for the petitioner has submitted that it is an absolutely false case which cannot be believed. It does not appear to be reasonable that a lady would be subjected to sexual misdemeanor for such a long time and she would not report it to her parents. Apart from this, it has been submitted that the petitioner as well as the prosecutrix are from the same village and in the complaint case lodged by the father of the petitioner, certain imputations have been made about the prosecutrix.

Apart from this, it has been submitted that the petitioner is in custody since 26.02.2020 and is a person of young age.

Regard being had to the period of custody and nature of accusation and the fact that there has not been any substantial progress in the trial, the petitioner above named is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Darbhanga in connection with Darbhanga Sadar Mahila P.S. Case No. 55 of 2019.

The petitioner shall, however, participate in the



trial and his absence from the trial proceedings would render his bail liable to be cancelled.

(Ashutosh Kumar, J)

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