

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21442 of 2020

Arising Out of PS. Case No.-65 Year-2019 Thana- MAHILA PS District- Katihar

BIPIN KUMAR MANDAL Son of Sushil Mandal R/O- Khaira, P.S.- Falka,
Distt. - Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar Singh
For the Opposite Party/s	:	Mr.Akhileshwar Dayal
For the informant	:	Mr. Chandan Kumar Jaiswal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 15-09-2020 Heard learned Counsel for the petitioner, leaned
Counsel for the informant and learned Additional Public
Prosecutor for the State, through video conferencing.

The petitioner seeks regular bail in connection with
Mahila Police Station Case No. 65 of 2019, registered for the
offence punishable under Sections 376/506/34 of the Indian
Penal Code.

The allegation against the petitioner, as per the First
Information Report lodged by the informant, is that about three
months ago, the petitioner came into the house of the informant
and tried to commit rape upon her, which was objected by the
informant and then, on the pretext of marrying with the
informant, the petitioner committed rape upon the informant,



due to which the informant became pregnant

Learned Counsel for the petitioner submits that the present First Information Report has been lodged due to some misconception on the part of the informant. He further submits that the informant is major and very well in the position to give her consent. However, learned Counsel for the petitioner submits that the petitioner has performed marriage with the informant and both of them are living as husband and wife and the petitioner is in custody since 24.01.2020. He, referring to Annexure 3, submits that a joint petition has been filed before the learned Court below, duly signed by the informant, stating therein that pursuant to the compromise, both, the petitioner and the informant, are living a conjugal life as husband and wife.

After having heard learned Counsel for the parties and taking into consideration the materials on record, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Katihar, in connection with Mahila Police Station Case No. 65



of 2019.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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