

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78608 of 2019

Arising Out of PS. Case No.-101 Year-2019 Thana- MAHILA P.S. District- Patna

RAHUL CHANDRAVANSHI @ RAHUL KUMAR Son of Dilip Kumar
Resident of Village - Dhanarua, P.S.- Dhanarua, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv.

Mr.Indu Bhushan, Adv.

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-01-2020 The petitioner seeks regular bail in connection with Mahila P.S. Case No. 101 of 2019, registered for offences punishable under Sections 376, 313, 498(A), 506, 504/34 of the Indian Penal Code.

Prosecution case is that petitioner forcefully married with the informant and prior to that he has also committed rape on her and when she became pregnant he tried to get her pregnancy aborted and it is also alleged that she was tortured for demand of dowry.

It has been submitted on behalf of the petitioner that the girl is married lady and medical report also disclosed that she is aged about 22-23 years. Further submission is that in the medical report no sign of recent pregnancy was found and the



F.I.R. itself disclosed that it was a consensual sex between the parties and no offence is made out under Section 376 of the Indian Penal Code and so far other allegations of demand and torture is concerned, the same are ornamental. Petitioner has been in judicial custody since 01.10.2019.

Heard learned A.P.P. also.

Having heard both sides, in view of the above submissions, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Smt. Madhvi Singh, learned Judicial Magistrate -1st Class, Patna, in connection with Mahila P.S. Case No. 101 of 2019, subject to the condition that petitioner will cooperate in disposal of trial and make himself available as and when required by the court below, failing which, the prosecution shall move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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