

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79621 of 2019

Arising Out of PS. Case No.-100 Year-2019 Thana- MAHILA P.S. District- Nalanda

ARYAN KUMAR Son of Sri Rabindra Singh @ Shadujee Resident of Village
- Patel Nagar Sonaru, P.S.- Fatuha, District- Patna Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Kartik Kumar Sinha
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 07-09-2020 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, 323, 504, 506 and 34 of the
Indian Penal Code and 3 and 4 of D.P. Act.

The prosecution allegation, in short, is that the
accused person established physical relation with the informant
on the assurance of the marriage and later denied.

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 falsely been implicated in the



present case. The petitioner is alleged to have established physical relationship on the assurance of marriage. Learned counsel for the petitioner submits that at best, it is a case of consensual sex. He has placed reliance of a case of the Hon'ble Supreme Court since reported in **2019 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharastra & Ors).**

On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Nalanda at Biharsharif in connection with Mahila P.S. Case No. 100 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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