

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86298 of 2019**

Arising Out of PS. Case No.-18 Year-2019 Thana- BALIA BELON District- Katihar

NITESH KUMAR Son of Logen Parihar Resident of Village - Pilkhana,
Benijalpur, P.S.- Balia Belon, Distt - Khatihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-01-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 341, 323, 376, 504/34 of the Indian Penal Code.

Informant has alleged that petitioner established physical relation with her and was sexually exploiting her on the promise of marriage.

It has been submitted on behalf of the petitioner that that he is innocent and FIR has been lodged after 10 days of alleged occurrence. Informant is major and relations were consensual. Petitioner has got no criminal antecedent and is in custody since 19.09.2019.

Learned counsel for the Informant submits that petitioner has cheated the Informant by playing fraud upon her



and established physical relation with her on the promise of marriage and subsequently denied.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Baila Belon P.S. Case No. 18 of 2019**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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