

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24158 of 2021**

Arising Out of PS. Case No.-195 Year-2018 Thana- JAKKANPUR District- Patna

Md. Miraj Son of Mr. Siraj Ahemad @ Sirajuddin Resident of Village -
Kurmitola (Daudnagar), P.S.- Daudnagar, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udbhav, Advocate
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 17-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is seeking regular bail in connection with Jakkanpur P.S. Case No. 195 of 2018 instituted for the offences under Sections 323, 341, 376, 417, 384, 386 and 354 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 22.09.2020 and the charge-sheet has been submitted in the case. He further submits that the informant and the petitioner were having relationship for the last eight years as it would manifest from the allegation itself in the F.I.R. Further, he submits that as far as allegation of rape is concerned, it was not rape but the relationship was consensual.

Learned counsel for the petitioner further submits that



the informant realising her mistake has filed a compromise petition on 01.12.2020 and as such the case has been compromised between the parties and the petitioner has accepted the informant as his wife.

Learned A.P.P. for the State fairly submits that since the parties have compromised, as such for the purposes of bail, the same should be verified by the learned court below.

Considering the fact that the parties have compromised the case, the petitioner is directed to be released on bail on furnishing of bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Sub-Judge-I-cum-Additional Chief Judicial Magistrate-I, Patna in connection with Jakkanpur P.S. Case No. 195 of 2018 subject to the condition as laid down under Section 437 (3) Cr.P.C. provided the learned court below is satisfied that the parties have entered into a compromise and the compromise petition has been filed without any force or coercion.

(Satyavrat Verma, J)

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