

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34376 of 2021

Arising Out of PS. Case No.-2 Year-2021 Thana- RIGA District- Sitamarhi

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Randhir Kumar Son of Sri Rajindra Prasad Village - Sangram Fandah, P.S.-
Riga, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Mohan, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-12-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Riga P.S. Case No. 02 of 2021 instituted for the offences under
Sections 420, 376, 506 and 504 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 04.01.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that from
bare perusal of the allegation as alleged in the F.I.R. it would
manifest that the informant alleges that she fell in love with this
petitioner in 2015 and thereafter established physical relation
but the petitioner refused to marry her. It is further alleged that
thereafter she shifted to Delhi and when she shifted to Delhi, the



petitioner started threatening her that all the intimate videos will be made viral and threatened to kill her. It is alleged that on threat, the petitioner forcefully established physical relation with the informant. It is further alleged that the petitioner married another girl and declined to marry the informant.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R. it would manifest that the informant and petitioner were in love since 2015. They were major and capable of understanding the consequences of their relationship and whatever happened in between them was consensual. It was only when the petitioner married another girl then the informant out of vengeance instituted the present case making false allegations that under threat she was called and thereafter she was raped. Learned counsel further submits that there is no injury report on the record.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 04.01.2021, charge-sheet has been submitted in the case, petitioner is a person with clean antecedent and prima facie for the purposes of bail, this Court is satisfied that the relationship



between the petitioner and the informant was consensual and they entered into physical relation on their own will, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Riga P.S. Case No. 02 of 2021 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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