

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41449 of 2021

Arising Out of PS. Case No.-169 Year-2020 Thana- BAKHTIARPUR District- Saharsa

NAVIN GUPTA S/O ARBIND GUPTA R/O VILLAGE-PURANI BAZAR,
BAKHTIYARPUR, P.S- BAKHTIYARPUR, DISTRICT-SAHARSA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-12-2021 Heard learned counsel for the petitioner, the State and the informant.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 376 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, the petitioner on the pretext of marriage established physical relation with the victim and ousted her from the house.

Learned counsel for the petitioner submits that the victim is aged about 25 years and the parties are next door neighbour and in section 164 Cr. P. C. statement the victim has stated that the petitioner made physical relation since four years with her consent. Petitioner has claimed clean antecedent and he is in custody since 15.3.2021.



Learned counsel appearing for the State and informant oppose the prayer for bail. They submit that the petitioner on the pretext of marriage established physical relation with the victim and he ousted her from the house.

Considering the aforesaid facts and circumstances of the case and the statement of the victim as above, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate Saharsa in Bakhtiyarpur Police Station Case No. 169 of 2020.

(Prabhat Kumar Singh, J)

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