

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32744 of 2020

Arising Out of PS. Case No.-44 Year-2020 Thana- JAMOBABAZAR District- Siwan

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RANJAN KUMAR Son of Janta Kushwaha Resident of village - Jagdishpur
(Badka Tola), Police Station - Jamo Bazar, District - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 09-02-2021 Heard learned counsel for the petitioner and
learned APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 420, 385, 376, 120(B) of the Indian
Penal Code.

Allegedly, on the false promise of marriage, the petitioner
established physical relationship with the informant.

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.
Physical relationship is said to have been established between



the victim and the petitioner. The said relationship was a consensual one. Hence no offence under Section 376 of the Indian Penal Code is made out. The petitioner has relied upon a judgment reported in **2019 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sorav-Versus The State of Maharashtra and Ors.)**.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Siwan in connection with Jamo Bazar P.S. Case No. 44 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

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