

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34902 of 2020**

Arising Out of PS. Case No.-12 Year-2020 Thana- MAHILA P.S. District- Saharsa

Sanoj Kumar, son of Ravindra Yadav, resident of Village - Amirta, Ward No. 5, Police Station- Sonbarsa Raj, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

3      23-06-2021                      Heard learned counsel for the petitioner and the learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with Thana (Saharsa) P.S. Case No. 12 of 2020, registered under Sections 376, 323, 506 and 313 of the Indian Penal Code.

The accusation is that victim/informant, daughter of Chedi Lal Yadav, resident of village- Jhanjhari, P.S. Gwalpara, District Madhepura, residing at present Village Gamharia, O.P. Baijnathpur, P.S. Sourbazar, District Saharsa was running the beauty-parlour shop in Mangwar Bazar and adjacent to her beauty-parlour shop, Sanoj Kumar (petitioner) was also running the mobile shop and due to that reason, victim/informant was in touch to Sanoj Kumar (petitioner). On 20.06.2019, petitioner



committed rape on her on assurance to perform the marriage in the shop when she was alone at her shop. Thereafter, petitioner further developed sexual relation with her for about eight months on pretext to perform the marriage but lastly, petitioner refused refused to perform the marriage with her.

Learned counsel for the petitioner submits that admittedly, petitioner is running the mobile shop adjacent to the beauty-parlour shop of victim/informant, who is married lady and due to dispute in transaction of money in between the petitioner and the victim-informant, she lodged the present case with false allegation. Further submission is that it would appear from the statement of Amit Kumar, as detailed in paragraph 20 of the case diary, that victim-informant is his wife and due to their wedlock, victim-informant conceived pregnancy. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, Sanoj Kumar, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Saharsa, in connection with Thana



(Saharsa) P.S. Case No. 12 of 2020, subject to the condition as  
laid down under Section 438(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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