

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37003 of 2020

Arising Out of PS. Case No.-243 Year-2020 Thana- LALGANJ District- Vaishali

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UMANG KUMAR SINGH @ BADIA Son of Raj Kumar Singh Resident of
Village - Balua Basanta, P.S. - Lalganj, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-04-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

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 376, 341, 323, 504, 506/34 of I.P.C.

The prosecution case, in short, is that the petitioner on the
pretext of marriage committed rape upon the victim.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent and there is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has falsely been implicated in this case. On the pretext of marriage,
physical relationship was established between the parties. The said
relationship was consensual. Subsequently the victim was examined
under Section 164 Cr.P.C., where she has admitted physical



relationship but has not stated anything in respect of commission of rape upon her by the petitioner. Learned counsel for the petitioner has placed reliance of a case of the **Hon'ble Supreme Court since reported in 2019 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharastra & 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, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IX, Vaishali at Hajipur in connection with Lalganj P.S. case No.243 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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