

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51696 of 2021

Arising Out of PS. Case No.-49 Year-2021 Thana- LAXMIPUR District- Jamui

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GAUTAM RAJAK S/O PRAMOD RAJAK Resident of Makanpur, P.S.-
Sangrampur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.PK Pandey, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-11-2021 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 sections 493, 376/34 of the Indian Penal Code.

As per the prosecution case, on 11.3.2020 the petitioner entered the house of the informant and committed rape on her. Thereafter petitioner and his family members took her to Ratanpur Shiva Temple and performed marriage with her and left her at her house. After some months, the victim got information that petitioner performed marriage with some other girl on 2.2.2021.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. In paragraph 8 of the bail petition, he states that the victim on her own free will married with the petitioner at the Temple. He refers to Section 164 Cr. P. C. statement of the victim in which she has stated that she was in love with the petitioner and on her own sweet will had left the house. Doctor has assessed her age to be 18 to 19 years. Learned counsel submits that the petitioner is ready to keep the victim with him. Petitioner has claimed clean antecedent and he is in custody since 9.3.2021.

Learned counsel for the informant and the State oppose the prayer for bail and submit that the petitioner should keep the victim with him.

Considering the aforesaid facts and circumstances of the case and the submission of the petitioner, 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 the Chief Judicial Magistrate, Jamui in Laxmipur Police Station Case No. 49 of 2021/GR No.414 of 2021.

(Prabhat Kumar Singh, J)

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