

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4796 of 2021

Arising Out of PS. Case No.-205 Year-2020 Thana- MOKAMAH District- Patna

DEEPAK KUMAR Son of Mathura Das Resident of Village - Coal Siding
Ward No.28, Mokama, P.S.- Mokama and Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-08-2021 Heard the parties in virtual court proceeding.

Let the defect(s) be removed within four weeks of
start of the physical court.

The petitioner is languishing in custody for the
offence punishable under Section 376 of the I.P.C.

The informant is a married lady. She alleges that the
petitioner was in physical relationship with her since last six
months either by putting her in threat or by alluring her that the
petitioner would provide ornaments and money to her.
Everything took place in absence of the husband who was doing
job at Bangalore. The material disclosed in the statement of the
victim under Section 164 Cr.P.C. would reveal that she was in
consensual relationship with the petitioner. There is no
allegation of any fraud played by the petitioner in obtaining the



consent. Investigation of the case is already complete.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Mokama P.S. Case No. 205 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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