

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.28098 of 2021**

Arising Out of PS. Case No.-44 Year-2020 Thana- MAHILA P.S. District- Rohtas

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AMAN KUMAR S/O MUNNA CHAUDHARY R/O VILLAGE KATAR, P.S  
INDRAPURI , DISTRICT- ROHTAS.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
ORAL ORDER

6      09-02-2022                      Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the  
complete start of the physical Court in normal course.

The petitioner, who is in custody since 13.12.2020,  
seeks regular bail in connection with Rohtas Mahila P.S. Case  
No. 44 of 2020, for the offence punishable under Sections 376  
and 420/34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant  
was in love affairs with the petitioner and on the pretext of  
marriage, the petitioner made physical relationship with her.

Learned counsel appearing on behalf of the petitioner  
submits that the petitioner is innocent and he has falsely been



implicated in this case. He further submits that victim is major and she made relation with the petitioner accordingly to her sweet will.

Learned A.P.P. for the State has, vehemently, opposed the prayer for grant of bail to the petitioner. He further submits that as per the medical report, it appears that the victim is not virgin and the allegation of sexual relationship between the parties also not denied and the petitioner has deceive the victim girl by giving her false assurance of marriage and as such the petitioner does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case and taking into consideration that the petitioner as well as informant are of same age and there is every possibility that due to the intervention of the family members of both the sides, they may arrive at amicable settlement to solemnize the marriage of the informant with the petitioner, the petitioner is directed to be enlarged on **provisional bail** on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Rohtas at Sasaram, in connection with Mahila P.S. Rohtas Case No. 44 of 2020.

The learned Court below after verifying the conduct of both the parties shall take a decision either to confirm the



provisional bail or to cancel the same in the facts of the case and  
on such conditions he may deem fit and proper.

With the aforesaid observations and directions, this  
application is disposed of.

**(Purnendu Singh, J)**

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