

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33668 of 2021

Arising Out of PS. Case No.-148 Year-2020 Thana- KATRA District- Muzaffarpur

Priyanshu Kumar @ Golu @ Gaurav Kumar S/O Pawan Kunwar R/O
Village- Tehwara, P.S.- Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shishir Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 31-01-2022 The applicant/accused in Crime No. 148 of 2020 registered with Katra Police Station for the offences punishable under Sections 376/420 read with Section 34 of the Indian Penal Code, by this application is seeking his release on bail during pendency of the trial and after filing of the charge sheet.

Heard the learned counsel appearing for the applicant/accused and learned Additional Public Prosecutor for the State.

I have considered the submissions so advanced and perused the materials placed before me.

The FIR lodged by the victim shows that she is 20 years of age. She alleged that the applicant has married her and then the couple indulged in the sexual relationship. However, it is further alleged by the prosecutrix that the



applicant as well as his family members are not accepting her as their daughter-in-law.

The applicant is behind bar from 12.09.2020. The prosecutrix is an adult lady. She herself has claimed that she has love relations with the applicant which ultimately culminated into their marriage and that too at the instance of the present applicant. She further states that thereafter the couple indulged in sexual relationship.

In this view of the matter, considering the nature of evidence against the applicant his further pretrial detention is not warranted, and hence, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 148 of 2020 registered with Katra Police Station be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the



trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

Mkr./-

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