

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24912 of 2022

Arising Out of PS. Case No.-10 Year-2021 Thana- MAHILA P.S. District- Madhepura

RITU RAJ Son of Ajay Thakur Resident of Village - Udakishunganj Ward
no14, P.s.- Udakishunganj, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Kishor Poddar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-08-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered u/ss 341, 323, 376, 504, 506 read with 34 of the Indian Penal Code.

As per the prosecution case, marriage of the informant was solemnized as per Hindu rites and custom with the co-accused, Ranjit Yadav. Thereafter, the informant again married the petitioner, Ritu Raj and started living at the matrimonial home as wife and husband and she gave birth to a daughter namely Tina Kumari and the informant again became pregnant and thereafter she stated that



she was raped by the petitioner and the petitioner did not marry her. On being objected, the petitioner and other co-accused persons abused and ousted her from the matrimonial home after assaulting.

Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. The informant is the wife of the petitioner. Hence a case under Section 376 is not made out against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 15.09.2021.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Madhepura, in connection with Madhepura (Mahila) P.S. Case No. 10 of 2021.

The application stands allowed.

sanjeev/-

(Chandra Prakash Singh, J)

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