

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43645 of 2021

Arising Out of PS. Case No.-53 Year-2021 Thana- MAHILA PS District- Darbhanga

RAKESH KUMAR YADAV Son of Shiv Shankar Yadav Resident of Village -
Pethiya Gachhi, P.S.- Ashok Paper Mill, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Darbhanga
Mahila (A.P.M.) P.S. Case No. 53 of 2021 registered for the
offences punishable under Sections 376, 323, 34, 506 of the
IPC.

As per prosecution case, the petitioner established
physical relationship with the informant on the pretext of
marriage.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that in fact the present case has been lodged only to pressurize the petitioner to marry with informant. Petitioner is in custody since 29.05.2021.

The learned Additional Public Prosecutor vehemently opposed the prayer of bail on the basis of material on record as well as case diary by submitting that the victim in her statement under Section 164 of the Cr.P.C. has supported the allegation as alleged in the FIR. He further submits that the witnesses have also supported the prosecution version.

Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail and accordingly, the same stands rejected.

(Rajesh Kumar Verma, J)

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