

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44698 of 2021

Arising Out of PS. Case No.-84 Year-2021 Thana- FALKA District- Katihar

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JITAN KUMAR Son of - Mahendra Rishi Resident of Village - Fuldobhi
(Ward No. -6), P.S.- Falka, District - Katihar.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Baby Kumari Daughter of - Bharat Rishi Resident of Village - Fuldobhi
(Ward No. -6), P.S.- Falka, District - Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh, Advocate
For the Informant	:	Mr. Raghvendra Kumr Singh, Advocate
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 11-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 376 of the Indian Penal Code.

As per the prosecution case, on the false promise of marriage it is stated by the informant that the petitioner committed rape on her. It is further stated that subsequently he started making demand of a motorcycle and Rs. 50,000/-.

It is submitted by learned counsel for the petitioner that the informant is a major. The relationship between the parties were consensual. Even the medical report estimates her age to be between 17-18 years. The petitioner who has no



criminal antecedent is in custody since 16.3.2021. The petitioner is ready to solemnize marriage with the informant.

The application for bail is opposed by learned APP for the State and learned counsel for the informant.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR together with the same having been supported by the informant in her statement under section 164 Cr.PC, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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