

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48713 of 2021

Arising Out of PS. Case No.-34 Year-2021 Thana- MAHILA P.S. District- Kaimur (Bhabua)

SHASHIKANT RAM Son of Subhash Ram Resident of Village - Sultanpur,
P.s.- Ramgarh, Distt.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikramdeo Singh
		Mr.Parwej Khan
For the Opposite Party/s :		Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 28-04-2022 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Mahila Police Station Case No. 34 of 2021, registered for the
offence punishable under Sections 420/376 of the Indian Penal
Code.

The prosecution case, as per the First Information
Report, is that the on the false pretext of marriage, the petitioner
established physical relationship with the informant for the last
five years and when the informant insisted for marriage, the
petitioner started making excuses.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged



and there was consensual relationship between the petitioner and the informant and it is not alleged in the First Information Report that from the very inception, the intention of the petitioner was not to marry the informant. He further submits that during the course of investigation, it has come that due to the fact that the father and other family members of the petitioner was not ready that the petitioner should solemnize marriage with the informant, the marriage could not be solemnized. He further submits that the relationship of the petitioner with the informant continued for a fairly long period of time, i.e. about five years.

Regards being had to the submissions advanced don behalf of the parties and taking into consideration the materials on record and the fact that the petitioner did not perform marriage with the informant due to family pressure, there is no allegation that from the very beginning, the intention of the petitioner was not to marry the informant and the relationship between them continued for about five years, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of
learned Sub Divisional Judicial Magistrate, Kaimur, at Bhabhua,
in connection with Mahila Police Station Case No. 34 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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