

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50892 of 2021**

Arising Out of PS. Case No.-3 Year-2021 Thana- PIRPAINTI District- Bhagalpur

Suraj Kumar Sharma, Son of Biseswar Sharma, Resident Of Village - Sermari
Bazar, P.S. - Pirpainty, District - Bhagalpur.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha
For the Opposite Party/s : Mr. Umesh Lal Verma

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 09-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 498(A), 376, 313, 379/ 34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 04.04.2021, he is a person with clean antecedent and charge-sheet has been submitted in this case.

The learned counsel for the petitioner submits that the informant alleges that petitioner promised to marry the informant and on 20.05.2019 even married her and then established physical relation many a times and when informant became pregnant, he got the pregnancy aborted on the pretext



that he is an unemployed. The petitioner took her to his house when on 14.12.2020, the accused persons asked the informant to get the land registered in the name of the petitioner which belongs to her father and when she objected, she was ousted after snatching articles as detailed in the F.I.R.

The learned counsel for the petitioner at the outset submits that he vehemently denies the marriage of the petitioner with the informant. It is further submitted that during the course of investigation, the witnesses at Paras-8, 9 and 10 of the case diary have stated that the informant is married to one Subhash Mandal and out of the wedlock had three children, but now she intends to marry and stay with the petitioner and the petitioner is not willing.

The learned counsel for the petitioner thus submits that concealing this fact that she was married from before and had children from the wedlock. The present false case came to be instituted only with a view to coerce and extort the petitioner by alleging false allegation. The learned counsel further submits that even the medical report negates the allegation of rape.

Learned A.P.P. opposes the bail application, but is not able to meet the submission of the learned counsel for the petitioner with regard to Paras-8, 9 and 10 of the case diary.



Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and taking into consideration the submission made by the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Pirpainty P. S. Case No.03 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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