

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52960 of 2021

Arising Out of PS. Case No.-13 Year-2021 Thana- MAHILA PS District- Gaya

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PINTU KUMAR S/o Om Prakash Resident of Village- Rampur, P.S.-
Rampur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tripti Kumari D/o Ashok Mishra R/o Mohalla- A.P. Colony, H.N.81, P.S.-
Rampur, District- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Sinha No.1
For the Opposite Party/s : Mr. Raj Kishore Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-02-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in connection with Mahila
(Rampur) P. S. Case No.13 of 2021, instituted for the offences
under Sections 376, 341, 323, 504, 509, 506 of the Indian Penal
Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 31.03.2021, he is a person with
clean antecedent and charge-sheet has been submitted in the
case.

The learned counsel for the petitioner submits that the
informant alleges that the petitioner on 28.03.2021 entered her



house and assaulted the informant and her father. It is further alleged that petitioner was in relationship with the informant since 2015 and they were having physical relation as the petitioner had assured that he will marry the informant, but now the petitioner has resiled from his commitment.

The learned counsel for the petitioner submits that from perusal of the allegation, it is clear that the relationship was between two consenting adults and was consensual. Hence, prima facie no offence under Section 376 of the I.P.C. is made out and as far as allegation of assault is concerned, the same is ornamental to give a serious colour to the case.

The learned counsel further submits that the case has also been compromised between the parties.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in the case and the case has been compromised and also taking into consideration the submission of 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. 5,000/- (Rupees Five Thousand) with two



sureties of the like amount each to the satisfaction of learned
J.M., 1st Class, Gaya in connection with Mahila (Rampur) P. S.
Case No.13 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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