

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57344 of 2021

Arising Out of PS. Case No.-281 Year-2021 Thana- PHULWARISHARIF District- Patna

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BANTI KUMAR @ JUGNU @ BANTI KUMAR SHARMA S/o Sri
Ramnath Sharma Resident of Village and Post- Arrap, P.S.- Bikram, District-
Patna. At present residing at Rupaspur, P.S.- Rupaspur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 420 & 376 of the Indian Penal Code.

Allegation against the petitioner is of establishing physical
relationship with the informant on the pretext of marriage. There
is allegation of assault upon the informant also.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. On the
pretext of marriage, the petitioner is alleged to have established
physical relationship with the informant. The same was
consensual relationship between the parties. He has placed



reliance of cases of the Hon'ble Supreme Court since reported in 2019 SCC Online SC-3100 (*Dr. Dhruvaram Murlidhar Sonar versus The State of Maharashtra & Ors.*) and (2019) 9 SCC 608 (*Pramod Suryabhan Pawar vs. The State of Maharashtra and Ors.*)

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Patna in connection with Phulwari Sharif P.S. Case No. 281 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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