

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48578 of 2022

Arising Out of PS. Case No.-148 Year-2022 Thana- BUXAR MUFFSIL District- Buxar

MULAYAM YADAV S/o Shiv Nath Yadav @ Shiv Nath Singh R/o village-
Narbatpur, P.S.- Buxar (M), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-12-2022 Heard the parties through video conferencing.

Petitioner seeks regular bail in connection with Buxar
(Muffasil) PS Case No. 148 of 2022 registered under Section
376 and 120(B) of the I.P.C.

As per the first information report the informant was
in love with the petitioner and on allurement of the petitioner
she left her house along with him and went to Sikandarabad
where she along with the petitioner stayed in a quarter of his
friend. It has further been alleged that when she along with the
petitioner was staying at Sikandarabad, the brother-in-law of the
petitioner along with other accused persons arrived there and
assured the informant that petitioner would perform marriage
with her and accordingly the informant established physical



relationship with the petitioner but subsequently the petitioner refused to marry the informant.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of concocted story. He further submits that love affair between the petitioner and the informant was not to the liking of the parents of the informant and upon pressure of the parents the present belated FIR has been lodged. He further submits that informant stayed at a short -stay home at Buxar but she did not disclose anything to the Police or the Warden of the short-stay home at that point of time and subsequently on the pressure of her parents the present FIR has been lodged. He also submits that FIR has been lodged on 15.04.2022 and after one day of the lodging of the FIR the statement of the victim girl was recorded by the learned Magistrate under Section 164 Cr.P.C. in which she has stated that she voluntarily went with the petitioner but has not stated regarding establishing physical relationship by him. Learned counsel next submits that from perusal of the FIR it also appears that there is no allegation against the petitioner that from the very beginning or inception the intention of the petitioner was not to marry the informant. The petitioner is in custody since 07.05.2022.



Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the fact that there is no allegation in the First Information Report that from the very inception the intention of the petitioner was not to marry the informant, both the parties were in love relationship with each other, the informant went with the petitioner voluntarily and charge sheet has already been submitted, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000 /- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (M) P.S. Case No. 148 of 2022.

(Anil Kumar Sinha, J)

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