

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63045 of 2021

Arising Out of PS. Case No.-15 Year-2021 Thana- MAHILA P.S. District- Madhepura

Ranjeet Kumar @ Ranjit Kumar S/O Surj Narayan Yadav @ Sury Narayan
Yadav R/O Village- Biriranpal, P.S.- Uda-Kishunganj, District- Madhepura
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Dr. Sanjay Kumar Singh, Advocate
For the State	:	Mr.Sanjay Kumar Tiwary, Addl Public Prosecutor
for the informant	:	Mr. Udai Chand Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-08-2022 Heard learned counsel for the petitioner, the State and
the informant.

The petitioner apprehends arrest in a case registered for the offence punishable under sections 376/34 and other ancillary sections of the Indian Penal Code.

Prosecution case is that the petitioner on the pretext of marriage established physical relation with the informant.

It is submitted by learned counsel for the petitioner that petitioner is Dewar of the informant's sister and both of them are major and were living together and engaged in sexual activity for a long time. Both of them enjoyed each others company. Due to family pressure, petitioner could not marry. Continued relationship for years cannot be said to be induced or involuntary. Even, the victim in her statement recorded under



section 164 Cr. P. C. has stated that the petitioner is dewar of her sister and he told me that he would marry her. Thereafter he started living with her like husband and wife. Petitioner has got no criminal antecedent.

Learned counsel appearing for the State as well as the informant oppose the prayer for bail.

Considering the aforesaid facts and circumstances and the fact that the informant and the petitioner were major and lived as husband and wife for few years, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Madhepura in Madhepura Mahila Police Station Case No. 15 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

