

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70667 of 2021

Arising Out of PS. Case No.-32 Year-2021 Thana- MAHILA PS District- Gaya

SATISH KUMAR SINHA @ SATISH SINHA, aged about 28 years (Male),
Son of Sri Gopal Prasad, Resident of Village- Bapunagar, P.S.- Bodh Gaya in
the District of Gaya.

... .. Petitioner

Versus

1. The State of Bihar.
2. Smt. Puja Sinha, aged about 30 years (Female), Wife of Sanjeev Kumar Sinha, Daughter of Sri Shyam Kishore Prasad, Resident of Shastri Nagar, Road No. 3, P.S.- Rampur in the District of Gaya.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Braj Nandan Kumar Tiwary, Advocate
For the State	:	Mr. Umanath Mishra, A.P.P.
For the O.P. No. 2	:	Mr. Shivjee Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-04-2022 Heard learned counsels for the petitioner, opposite party no. 2 and learned A.P.P. for the State.

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

The petitioner is apprehending his arrest in connection with Mahila P.S. Case No. 32/2021 for the offence registered under Sections 376 and 493 of the I.P.C.

The prosecution story, in brief, is that from the year 2017 to 2021, on the pretext of marriage, the petitioner established physical relationship with the informant.



Subsequently, the petitioner could not marry with the informant.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. On the pretext of marriage, physical relationship was established between the parties. Subsequently, the marriage could not be solemnized for one reason or the other. The said relationship was consensual relationship between the parties. Learned counsel for the petitioner has further relied upon the judgment delivered by Hon'ble Supreme Court in case of (Dr. Dhruvaram Murlidhar Sonar-Versus-The State of Maharastra and Ors) reported in 2019 SCC OnLine SC 3100 and also in case of (Maheshwar Tigga Vs. The State of Jharkhand) reported in 2020 SCC OnLine SC 779.

On behalf of the State and opposite party no. 2, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let 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 bonds of Rs. 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Gaya, in connection with Mahila P.S. Case No. 32/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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