

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7404 of 2023

Arising Out of PS. Case No.-16 Year-2022 Thana- MAHILA P.S. District- Lakhisarai

Niranjan Kumar, Son of Brahmdeo Yadav, R/v- Gohari, P.S.- Kiul, District-
Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a
case registered for the offence punishable under Sections
341, 323, 376 and 379/34 of the Indian Penal Code.

The prosecution case in nutshell is that
informant was in relation with the petitioner for 8 years.
On 7.5.2022, at the pretext of marriage, petitioner
called the informant along with her ornaments in the
orchard. They made physical relation and thereafter the
petitioner took her to his house. It is further alleged that
family members of the petitioner (co-accused persons)



denied for the marriage. It is further allege that accused persons snatched her ornaments.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is an inordinate delay of five days in lodging the F.I.R. There is case and counter case between the parties. Victim is aged about 23 years ie. she is major and mature minded lady and it seems from the prosecution that sexual relation has been established with consent of both the parties. Moreover, the petitioner is languishing in judicial custody since 2.11.2022. A statement has been made in para 3 of the petitioner that petitioner has got no criminal antecedent.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court



is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mahila Lakhisarai P.S. Case No. 16 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Lakhisarai.

(Sunil Kumar Panwar, J)

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