

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8783 of 2023

Arising Out of PS. Case No.-34 Year-2022 Thana- MAHILA P.S. District- Araria

MD. REHAN S/o Soib @ Md. Soib Alam R/o Village- Madanpur Chand
Bhag ward no. 02, P.S.- Madanpur O.P., Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and the
State.

Petitioner apprehends arrest in a case registered for
the offence punishable under sections 341, 376, 504, 506 of the
Indian Penal Code.

On the alleged date and time of the incident, the
petitioner called the informant to the west side of the house and
forcefully made sexual intercourse with her. It is further alleged
by the informant that on the pretext of marriage, the petitioner
sexually assaulted her for last six months and later a panchayati
was held in which the petitioner's father did not comply with the
decision of the Panches and the petitioner got married with
another girl.

It is submitted that both of them were in relationship



with each other for quite some time and enjoyed each other's company. It can not be said to be involuntary or induced. The informant is major and was fully aware of the consequences of such relationship. It is only when, petitioner got married with another lady, the present case has been lodged by the informant. There is inordinate delay of twenty three days in lodging the F.I.R.

Learned counsel for the State vehemently opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named 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 the learned Addl. Chief Judicial Magistrate 5th, Araria in connection with Araria Mahila P.S. case no 34 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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