

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13944 of 2022

Arising Out of PS. Case No.-375 Year-2021 Thana- HILSA District- Nalanda

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RADHEY SHYAM PRASAD Son of Late Nanhku Sao Resident of Village -
Bihari Road, Mahadeo Asthan, Radheshyam Marriage Hall, P.S.- Hilsa,
District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lovekush Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 02-01-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks regular bail in connection with
Hilsa P.S. Case No. 375 of 2021 registered for the offence under
Sections 376, 420 of the Indian Penal Code.

Allegation against the petitioner is that on pretext of
solemnization of marriage, the petitioner made physical relation
with the informant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. It is further
submitted that the informant was working in the marriage hall of
the petitioner as a mid-wife and with intention to grab his
money she falsely implicated the petitioner in this case. A



statement has been made in para 3 of the petition that the petitioner has got no criminal antecedent. According to the trial court report, only one witness has been examined in trial. It is further submitted that the victim is major and she is matured mind woman. Petitioner is languishing in judicial custody since 11.12.2021.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hilsa P.S. Case No. 375 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 1st Hilsa, Nalanda.

(Sunil Kumar Panwar, J)

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