

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25762 of 2023**

Arising Out of PS. Case No.-2 Year-2022 Thana- MAHILA PS District- Gaya

MANISH KUMAR @ MANISH TANTI Son of Late Bhola Prasad Tanti R/O
Mohalla- Manpur Baijnath Prasad Lane, PS- Buniyadganj, Dist- Gaya (bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 2
For the Opposite Party/s : Mr. Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-05-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Mahila
P.S. Case No. 02 of 2022 registered for the offence under
Sections 376, 493, 323, 504, 506 read with Section 34 of the
Indian Penal Code.

The informant has alleged in her written statement to
the police that accused/petitioner Manish Kumar after alluring
her for visit to Gaya made physical relation with her, this act of
accused continued for about three years, they were in secret



physical relationship and whenever the prosecutrix asked accused/petitioner Manish Kumar for marriage he gave assurance again and again but subsequently refused to marry the prosecutrix and when the prosecutrix made complaint to Dukhan Tanti the uncle of accused petitioner Manish Kumar then his all four sons came to her house and threatened her by flexing her muscles and threatened her to keep mum in this regard.

Learned counsel for the petitioner submits that the petitioner is falsely implicated in this case due to oblique reasons and malafide intention of the informant and there is no medical evidence of rape or any kind of injury present on record.

Learned counsel for the petitioner also submits that the petitioner is in custody since 11.01.2023..

Learned A.P.P. has vehemently opposed the prayer for bail.

Considering the aforesaid facts and the period of custody, this application for regular bail is allowed.

Let the petitioner, above named, be released on bail **after framing of charge if the charge is not framed yet** and on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with



two sureties of the like amount each to the satisfaction of the
learned Judicial Magistrate,1st Class, Gaya in connection with
Mahila P.S. Case No. 02 of 2022.

(Sandeep Kumar, J)

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