

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34573 of 2023

Arising Out of PS. Case No.-09 Year-2023 Thana- MAHILA P.S. District- Bhagalpur

MITHLESH KUMAR @ MITHILESH KR. MANDAL INDRADEV
MANDAL JHAPRU DAS TOLA PS KADWA OP DISTRICT BHAGALPUR
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Naugachia Mahila P.S. Case No. 09 of 2023 dated 03.03.2023, instituted for the offence punishable under Sections 376, 504, 506 of the Indian Penal Code.

3. The prosecution story, in brief is that, the petitioner is the brother of the husband of informant's sister and he made illicit relation with informant on the false promise of marriage. When the informant asked the petitioner for marriage, he denied and asked her not to disclose and threatened her with dire consequences.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he is falsely implicated in this case. He further submitted that the petitioner at no point of time has



given criminal threat to the victim nor he has made promise to marry her, rather, there was a consensual physical relationship between the victim, who happens to be 28 years of age and the petitioner. Learned counsel further submitted that the petitioner's involvement in the instant case has also not been supported by the witnesses examined during the investigation. Lastly, it has been submitted that the petitioner is in custody since 05.03.2023 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Bhagalpur, District-Bhagalpur in Naugachia Mahila P.S. Case No. 09 of 2023.

(Khatim Reza, J)

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