

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44011 of 2022

Arising Out of PS. Case No.-28 Year-2022 Thana- MAHILA PS District- Gaya

ANKIT KUMAR Son of Sri Shivnandan Thakur Resident of Village -
Sihwan, P.s.- Mohanpur, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Minki Kumari D/o Sri Iswari Sharma Resident of Village - Kewati, P.s.-
Atri, Distt.- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-01-2023 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 376, 493 of
the Indian Penal Code.

The allegation against the petitioner is of committing
rape with the informant on pretext of solemnization of marriage.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner has falsely been made accused in this present case to
make pressure to marry with the him. A statement has been
made in para 3 of the petition that the petitioner has got no



criminal antecedent. It is further submitted that the FIR has been lodged 14 days delay. It may also be noticed that the victim made physical relation with the petitioner on the pretext of solemnization of marriage and this case does not come within the purview of rape. It is further submitted that the petitioner languishing in judicial custody since 21.4.2022.

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, 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 P.S. Case No. 28 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 Court of Sub-Divisional Judicial Magistrate, Gaya.

(Sunil Kumar Panwar, J)

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