

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49774 of 2023

Arising Out of PS. Case No.-7 Year-2022 Thana- MAHILA PS District- Jehanabad

Amarnath Kumar @ Rakesh Kumar @ Jagan Son Of Ram Janam Mistri
Resident Of Village- Anua, Ps -BANSHI, Distt- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-08-2023 Heard learned counsel for the petitioner,

informant and learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 341, 323, 498(A), 376, 504, 506, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The prosecution case as per F.I.R is that the informant performed marriage in a temple with the petitioner and petitioner assured that he will again perform marriage with her according to Hindu rites and customs after performing of marriage of his sister. The



petitioner, sexually exploited the informant against her will and when the informant told the petitioner to perform marriage with her, the petitioner demanded cash of Rs. 25 lakhs and a vehicle and also threatened of dire consequences.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner and the informant are major and both are posted in the police department. It is further submitted that the relationship, if any, is a consensual relationship. The petitioner is languishing in custody since 24.03.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period



under custody, let the petitioner, above named, be released on bail **after framing of the charge, if the charge has already not been framed** and on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Arwal in connection with Arwal Mahila P.S. Case No. 07 of 2022.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

