

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50086 of 2023

Arising Out of PS. Case No.-48 Year-2021 Thana- MAHILA P.S. District- Patna

DEEPAK KUMAR @ DEEPAK CHANDRABANSI Son of Late Mohan Prasad Resident of Salimpur, Arha, Gali No. 2-Daldali Road, P.S.-Gandhi Maidan, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-10-2023 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376, 417, 294 of the Indian Penal Code and Sections 66(C) of the I.T. Act.

3. According to the prosecution case, the petitioner is alleged to have had sexual relations with the informant on the pretext of marriage, which resulted in the birth of a daughter. After this, the petitioner refused to marry the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to ill motive. From perusal of FIR as well as statement of victim/informant recorded



u/s 164 of the Cr.P.C., it appears both are consensual party and there was consensual relation between the victim and the petitioner. The victim has specifically stated that she was in relation with the petitioner for more than two years from lodging the FIR. The victim is major and matured who stated her age about 20 years. The petitioner has got no criminal antecedent and languishing in judicial custody since 17.11.2022.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Mahila P.S. Case No. 48 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 Chief Judicial Magistrate, Patna.

(Sunil Kumar Panwar, J)

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