

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51942 of 2022**

Arising Out of PS. Case No.-53 Year-2021 Thana- HASPURA District- Aurangabad

SATISH KUMAR Son of Brajnandan Singh @ Brajnandan Yadav R/V-
Girdhari Mathia, P.S- Haspura, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-01-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case
registered for the offences punishable u/s 147, 149, 341, 323,
325, 376 and 504 of the Indian Penal Code.

As per the prosecution case, the petitioner who is
posted in BSF, had established physical relation with the
informant on the pretext of marriage for three years. When she



asked to get married together, the petitioner refused to marry her. When the informant reached the village of the petitioner, the accused persons assaulted her.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. He has submitted that the victim is a major girl. There is the consensual relationship with the petitioner and both the parties chose to have physical relationship without marriage for a considerable period of time. He has submitted that the petitioner has already married a lady, namely, Divya Kumari. Learned Counsel has placed his reliance on the judgment delivered by the Hon'ble Supreme Court in **Mandar Deepak Pawar v. State of Maharashtra** passed in **Criminal Appeal no. 442 of 2022** dated 27th July, 2022 and **Pramod Suryabhan Pawar v. State of Maharashtra (2019) 9 SCC 608**. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs.



20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 53 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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

