

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54882 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- MAHILA PS District- Gaya

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RAKESH KUMAR SON OF DURGA PRASAD RESIDENT OF VILLAGE
- KARPI, LALBAGH, POLICE STATION - KARPI, DISTRICT - ARWAL

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ujjawal Kumar Singh

For the Opposite Party/s : Mr.Rajendra Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 376, 493, 341, 323, 506
of the Indian Penal Code.

3. It is a case of commission of rape by the petitioner
to the informant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the victim is a married
lady, who is aged about 28 years. He submitted that the
informant had love affairs with the petitioner and there was a
consensual relationship between the petitioner and the victim.
From the perusal of the victim statement's recorded u/s 164 of



the Cr.P.C., it appears that she wanted to marry with the petitioner and hence she has lodged the present case to pressurize the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 29.05.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Mahila P.S. Case No. 46 of 2023.

(Sunil Kumar Panwar, J)

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