

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54469 of 2023

Arising Out of PS. Case No.-56 Year-2022 Thana- MAHILA P.S. District- Saran

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Avinash @ Avinash Kumar Son Of Braj Bihari Prasad Resident Of Village -
Ramdihra, P.S. - Gadhani, Shivpur, District - Arrah (Bhojpur)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376 & 506 of the Indian Penal Code.

3. As per prosecution case, the petitioner is alleged to have established physical relationship with the informant/victim on several occasions at the false pretext of solemnization of marriage. The petitioner also threatened the victim and posted her objectionable photographs on the social media.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been made an accused in the present case due to ulterior motive of the informant. It is also submitted vide para 11, 13, 14 & 15 of the petition that the informant/victim was in love with



the petitioner but their relationship was not accepted by their parents, therefore, she developed a story and implicated the petitioner in a false case. The informant also lodged an another case against the petitioner in Delhi vide Zero FIR No. 4 of 2022 which was transferred to concerned Police Station in which the case was not found true u/s 376 of I.P.C. Moreover, the petitioner is languishing in judicial custody since 2.5.2023.

5. Learned APP appearing for the state has 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 of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Saran Mahila P.S. Case No. 56 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 Sub-Divisional Judicial Magistrate, Chhapra at Saran.

(Sunil Kumar Panwar, J)

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