

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60614 of 2022**

Arising Out of PS. Case No.-18 Year-2020 Thana- MAHILA PS District- Jehanabad

NIRAJ KUMAR @ MUKESH KUMAR S/O- Akhilesh Paswan R/V-Bajitpur,
P.S.- Ghosi, Dist- Jehanabad.

... .. 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.Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 04-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 376, 328, 313, 506 and 34 of the Indian Penal Code.

As per prosecution case, the petitioner came up with the proposal of the marriage with the informant about three years ago and since then, on the pretext of getting marriage, established physical relation with her continuously, he got DNC done and subsequently denied for marriage with her.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He submitted that the statement of the victim recorded u/s 164 of the Cr.P.C., it



transpires that the petitioner and the informant are major and they have consensual sexually relation with their own consent on the pretext of marriage, due to this she became pregnant. He further submitted that good sense has been prevailed between the parties and in support of this Annexure-5 has been annexed with this petition. The petitioner is languishing in judicial custody since 29.06.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Jehanabad Mahila P.S. Case No. 18 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jehanabad.

(Sunil Kumar Panwar, J)

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