

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58679 of 2023

Arising Out of PS. Case No.-78 Year-2017 Thana- MAHILA P.S. District- Patna

SACHIN KUMAR GUPTA S/o- LATE LAXMI NARAYAN GUPTA R/v-
Padari ki haweli ward no-65, Bijali Office ki Gali near at Chandi ki Devi Ps-
Khajekalan Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-09-2023 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,
384, 379, 504, 34 of the Indian Penal Code

As per prosecution case, the allegation against the
petitioner is that he established physical relation with the
victim on false pretext of marriage. It is further alleged that
on 14.09.2017 he forcibly entered house of the informant
and took away a golden chain, cash Rs. 40,000/-.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He



has falsely been implicated in this case. The victim is a major and widow lady and there is a consensual relation between them. The FIR has been lodged after delay of about 1 year without given any cogent reason. As per Annexure-2, good sense has been prevailed between the parties. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he has been languishing in judicial custody since 12.06.2023.

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 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 Mahila P.S. Case No. 78 of 2017 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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