

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57904 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- MAHILA P.S. District- Muzaffarpur

Shivam Kumar Singh @ Shivam, Son of Shiv Chandra Prasad Singh,
Resident of village - Purushottampur, P.S.- Maniyari, District - Muzaffarpur.

... .. Petitioner/s

Versus

- 1) The State of Bihar
- 2) Chahat Singh, D/O Manoj Singh

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha
For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 27-03-2023 Heard learned counsels for the petitioner and the
State.

Petitioner apprehends arrest in registered for the
offences punishable under Sections 341, 342, 448, 323, 504,
493, 376/34 of the Indian Penal Code.

The prosecution case, in brief, is that the victim met
with the petitioner in coaching class and became friends, further
on the pretext of marriage, the petitioner established physical
relation with her. It is further alleged that petitioner denied to
marry her and on 09.04.2022, the informant went to petitioner's
house where his mother confined her in a room and assaulted
her.

Learned counsel for the petitioner submits that both



parties were enrolled in the same accounts coaching and later on they came close, fell in love and entered into physical relation. He further submits that from perusal of the F.I.R., it is apparent that the relationship was consensual and present false case of rape has been instituted only with a view to pressurize and blackmail the petitioner.

Learned counsel for the State opposes the prayer for bail application and submits that this petitioner made false promise of marriage only to seduce the victim and to indulge in sexual act and such an act would amount to rape.

Considering the nature and gravity of the offence, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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