

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63667 of 2023

Arising Out of PS. Case No.-470 Year-2023 Thana- BODHGAYA District- Gaya

Chinku Kumar @ Chotu Kumar S/O Basant Ram R/O Village- Jahan Bigha,
P.S- Bodh Gaya, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-10-2023 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, 493 and 506 of the Indian Penal Code.

3. Allegation against the petitioner who is the brother-in-law of the informant has established physical relationship with her from the last three years in the absence of her husband.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that there is some conflict going on between the informant and the family members of the petitioner. The informant is a married lady and the allegation against the petitioner of committing rape



of the informant is baseless as it seems there is consensual physical relationship between both of them from the last 3 years. Moreover, the petitioner is languishing in judicial custody since 03.06.2023.

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 Bodh Gaya P.S. Case No. 470 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, First Class, Gaya.

(Sunil Kumar Panwar, J)

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