

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58136 of 2022

Arising Out of PS. Case No.-32 Year-2022 Thana- MAHILA P.S. District- Patna

ANIKET KUMAR SINHA @ GUDDU @ ANKIT KUMAR SINHA S/o Anil
Kumar Sinha R/V- Begumpur, Patna City, P.S.- Chowk, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Mahila P.S. Case No. 32 of 2022, registered for the offence punishable under Sections 376/313/34 of the Indian Penal Code.

The case of the prosecution, in brief, according to the informant, is that the petitioner had called her to a hotel on 19.8.2021 and used to establish physical relationship on the pretext of marriage. It is also alleged that in between the years 2019-2021, she had gone to meet the petitioner 10-15 times. It is also alleged by the informant that she had become pregnant,



however, the pregnancy was terminated by the petitioner, who had administered some medicine to her for the said purpose.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 13.6.2022. The learned counsel for the petitioner has further submitted that the informant is a married woman, however, her marriage was annulled on account of sour relationship with her earlier husband and then, she had tried to get married with the petitioner by blackmailing him & threatening him with dire consequences and ultimately, she has falsely implicated the petitioner by alleging that the petitioner had called her to a hotel on several occasions and had established physical relationship with her. It is further submitted that since the informant is a major, at best, both of them can be said to be consenting adults, hence, no case is made out for the offences alleged in



the present case.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

I have heard the Ld. Counsel for the parties & perused the materials available on record from which this Court is prima facie of the view that the petitioner and the informant are consenting adults, who had established physical relationship amongst them voluntarily and when the association had become sour, the present case has been filed implicating the petitioner in the offences alleged, hence, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M., Patna in connection with Mahila P.S. Case No. 32 of 2022.

(Mohit Kumar Shah, J)

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