

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61930 of 2023**

Arising Out of PS. Case No.-140 Year-2023 Thana- MUFFASIL District- Aurangabad

Kuldeep Kumar Sharma @ Kuldeep Sharma @ Kuldeep Thakur Son Of Late
Nandlal Sharma Resident Of Village - Bahuarwa, Ward No.8, P.S. - Inarwa,
District - West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mrs.Pushpa Sinha.1, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

3 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Aurangabad (Muffasil) P.S. Case No. 140 of 2023, registered on 05.04.2023 for the offences under Sections 376, 387, 354D, 506, 504/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner, giving inducement to the informant about getting her job, sexually assaulted her and established physical relationship with her. Further allegation is that he shot a number of obscene photographs of the informant and also got her signature on a paper. Further allegation is that he used to demand Rs.five lakhs



giving threat of making the photographs viral.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No occurrence as alleged has ever taken place. In fact, the petitioner and the informant have solemnized their marriage before the Marriage Officer, Patna on 17.10.2022. The petitioner has also filed a case for restitution of conjugal rights being Case No. 139 of 2023 before the learned Principal Judge, Family Court, Bettiah, West Champaran. The informant has lodged the present case at the instance of her maternal uncle. Consequently the informant and the petitioner filed a compromise petition on 28.06.2023 before learned Principal Judge, Family Court, West Champaran, Bettiah in the restitution case as aforesaid and they are now living together as husband and wife.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner is accused in two more cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact regarding solemnization of marriage before the Marriage Registrar and also subsequent event of restitution of conjugal rights case getting compromised, the petitioner above



named in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad/concerned court in connection with Aurangabad (Muffasil) P.S. Case No. 140 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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