

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62428 of 2022

Arising Out of PS. Case No.-272 Year-2022 Thana- DUMRA District- Sitamarhi

Sunil Kumar Suman Son of Late Yamuna Mehara, R/o Vill- Amarakh (Kaji Inda Silaut Maniyari), P.S- Maniyari, Distt- Muzaffarpur, At present address- Suppi Block, P.S- Suppi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Dumra P.S. Case No. 272 of 2022, lodged under Sections 420,
313, 376 of the Indian Penal Code.

As per prosecution case, petitioner is the sole accused
in the F.I.R. The informant has made allegation that she is
Shiksha Sevika whereas the petitioner was working in Prakhand
Karyalaya, Suppi and in the office they meet with each other
and became familiar. Thereafter, the petitioner has informed that
his wife is died and he wants to marry with her. On the ground



that both are in working the petitioner entices her to purchase the land in her name and also with a view to construct house has taken money. He started visiting to the house of informant and developed physical relation with her, by which, the informant became pregnant and subsequently got aborted. Thereafter, the present criminal case has been filed by the informant and alleged that all the action done by the petitioner with her only on the basis of false promise. She requested the petitioner to marry but the petitioner has refused to marry with her.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that informant and petitioner both are matured and are in service, any relation developed is only with consent. He also submits that antecedent of petitioner is clean and he is in custody since 17.08.2022. Learned counsel for the petitioner further submits that the informant was in service and well aware from any action what she suppose to do. He further submits that on 19.09.2022 both the parties have filed a compromise petition before the court to settle their dispute.

Learned counsel for the State opposes the prayer for bail and submits that the allegation of fraud and rape is there in the F.I.R. but on the other hand it has been fairly accepted by the



prosecutor that both are major and free to take their decision, the decision may be right or wrong but there is no force.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 272 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ritik/-

U		T	
---	--	---	--

