

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61968 of 2022**

Arising Out of PS. Case No.-179 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

Rahul Kumar Son Of Harendra Mahto R/O Village- Ganeshpur, P.S.-  
Ahiyapur, District- Muzaffarpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Sada Nand Roy, Advocate

For the Opposite Party/s : Ms/Mrs. Pushpa Sinha, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      16-03-2023                      Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in a case registered for the offence punishable under sections 363,366A/34 of the Indian Penal Code.

It is submitted by learned counsel appearing for the petitioner that the victim in her statement recorded under section 164 Cr. P. C. has denied the prosecution case and has not alleged any allegation of sexual assault against the petitioner rather she has expressed desire to go with him. Court below has assessed her age to be 18 years.

Considering section 164 Cr.P.C. statement of the victim, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the



like amount each to the satisfaction of the Judicial Magistrate 1<sup>st</sup> class, Muzaffarpur in Ahiyapur Police Station Case No. 179 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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