

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63470 of 2022

Arising Out of PS. Case No.-5 Year-2019 Thana- MAHILA P.S. District- Banka

RAKESH TUDU @ RAKESH TUDDU Son of Late Shyam Tudu R/V-
Purnadih, P.S- Laxmipur, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akshansh Ankit

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376, 341, 323 and 34 of the Indian Penal Code.

As per prosecution case, the allegation against the petitioner is of establishing physical relation with the informant on the pretext of marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He submitted that the victim stated in her statement on the pretext of solemnization of marriage by the petitioner, he kept sexual relationship with her, it seems that there is consenting relationship between the



parties. He further submitted that, according to medical report, in vide para-42 of the case diary, the age of the victim girl appears above 18 years. He has got no criminal antecedent as stated in para-3 of the bail application. It is further submitted that the petitioner is languishing in judicial custody since 22.08.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Banka Mahila P.S. Case No. 5 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Banka.

(Sunil Kumar Panwar, J)

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