

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63546 of 2022

Arising Out of PS. Case No.-25 Year-2022 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Sanjay Pasi @ Sadhu Son Of Bharat Pasi R/V- Sahuka, P.S.- Ramgarh,
District- Kaimur At Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Bhabhua Mahila P.S. Case No. 25 of 2022, registered for the offences punishable under Sections 323, 341 and 376 of the Indian Penal Code.

As per the prosecution, the informant (victim) alleged that this petitioner established physical relationship with her on the pretext to marry her and further it is alleged that she was assaulted by this petitioner by pulling her behind a motorcycle by tying her to it.



The main submissions advanced by learned counsel Mr. Tribhuwan Narayan, appearing for the petitioner are that the petitioner is quite innocent and has been languishing in jail since 08.08.2022 having fair and clean antecedent and admittedly the victim was in love affair with this petitioner and she revealed her age as eighteen years in the FIR and from the facts of the FIR it is clearly evident that she was consented to the alleged relationship. Further submission is that the victim has recorded her statement under Section 164 of Cr.P.C. in which she revealed a different story from that of FIR and in fact, she is about twenty years old.

Learned APP Mr. Shyameshwar Dayal, appearing for the State has opposed the prayer for bail.

In view of the facts, as stated above, this Court is inclined to accept the petitioner's prayer for bail. Accordingly, let the petitioner named-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 concerned Court in connection with Bhabhua Mahila P.S. Case No. 25 of 2022.

(Shailendra Singh, J.)

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