

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64008 of 2022

Arising Out of PS. Case No.-37 Year-2022 Thana- MAHILA P.S. District- Patna

Pranav Raj S/o Jageshwar Prasad R/o Navneet Housing Colony,
Mehandiganj, P.S.- Mehndiganj, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Ayush Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-02-2023 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 the learned APP for the State.

Petitioner seeks regular bail in connection with Mahila P.S. Case No. 37 of 2022 registered for the offences punishable under Sections 376, 313, 420 and 34 of the Indian Penal Code.

As per the prosecution, the informant (victim) alleged that this petitioner established forceful physical relationship with the victim on false pretext of marrying her. Further, it is alleged that this petitioner impregnated her and forced her to abort the child.

The main submissions advanced by Mr. Ayush Kumar, learned counsel for the petitioner are that admittedly the

informant who is stated to be the victim of this case, was twenty-eight years old when she lodged the FIR and according to the allegation made in the FIR the alleged physical relationship was started between the petitioner and the said victim since the year 2008 and the FIR was lodged on 23.03.2022 and in the medical examination the victim's age has been assessed thirty to thirty-five years, in actual the petitioner got Government job in the year 2019 and thereafter with an intention to marry this petitioner the informant started making pressure upon him and finally when the petitioner solemnized his marriage with one namely, Jyoti Kumari on 21.03.2022 then just after two days the FIR of instant matter was lodged on 23.03.2022 with ill motive. Further submission is that the petitioner has been languishing in jail since 17.08.2022 and charge sheet has been submitted.

Mr. Chandra Sen Prasad Singh, learned APP for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the fact that the informant, who is stated to be victim, came with allegation several years after the first incident of rape which was allegedly committed by this petitioner and also the fact that the petitioner is a Government employee, in

my opinion, it is a fit case for bail to the petitioner. 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 concerned Court in connection with Mahila P.S. Case No. 37 of 2022.

(Shailendra Singh, J)

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