

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66889 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- MAHILA P.S. District- Samastipur

Alok Kumar Rai Arvind Kumar Roy Son Of Arvind Kumar Roy Village
Dharmkppur Police Station Mohiuddin Nagar District Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr.Adv. Mr. Saroj Kumar Choudhary, Mr. Vikramadit.
For the Opposite Party/s	:	Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-10-2023 Heard Mr. N.K.Agrawal, learned senior counsel for
the petitioner and Mr. Umeshanand Pandit, learned A.P.P. for the
State.

2. The petitioner apprehends his arrest in a case
registered for the offence under Sections 376, 341, 323, 504,
506 of the Indian Penal Code.

3. As per the prosecution case, on the false pretext of
marriage, the petitioner established physical relation with the
victim (informant) and after four years of alleged relationship,
this petitioner refused to solemnize marriage with her
(informant) and deserted her.

4. It is submitted on behalf of petitioner that from bare
perusal of the F.I.R., it is manifest that both parties are major
and they were in relationship for quiet some time. They enjoyed
each others company for years together and indulged in sexual



act, same cannot be said to be induced or involuntarily. The relationship was consensual. The informant was very much capable of understanding the consequences of her action. Petitioner has got clean antecedent.

Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned Chief Judicial Magistrate, Samastipur in connection with Samastipur Mahila P.S. Case No. 55 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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