

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67228 of 2022**

Arising Out of PS. Case No.-47 Year-2022 Thana- BUDHUCHAK District- Bhagalpur

AMARJEET VARMA @ MANNU VARMA S/O Yogesh Verma R/O Village-
Goughatta, P.S- Badhuchak, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigank Mauli, Sr. Advocate

For the Opposite Party/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner, learned

Special P.P. for the State and learned counsel for the

informant.

The petitioner seeks bail in connection with
Budhuchak P.S. Case No. 47 of 2022 registered for the
offences punishable under Sections 376, 448, 341, 323,
354B, 504, 506 and 34 of the Indian Penal Code and under
Section 4 of POCSO Act and under Sections 3(i)(r)(s) and
3(2) (va) of the SC/ST Act.

Learned Senior counsel for the petitioner submits
that the petitioner is a person with clean antecedent and is in
custody since 02.08.2022 and allegation against the



petitioner is of committing rape, it is alleged that the petitioner was found in a compromising position with the victim in her house and victim disclosed to the informant that petitioner on promise of marriage established physical relation with her.

Learned Senior counsel for the petitioner submits that from bare perusal of the allegations as alleged in the F.I.R, it would manifest that petitioner was found in the house of the informant which clearly establishes that whatever was happening was happening with consent of the victim and it was only when they were found together, a false case of rape came to be instituted.

Learned Special P.P. for the State and the learned counsel for the informant oppose the prayer for bail of the petitioner, but are not in a position to rebut the submission of the learned Senior counsel for the petitioner that the petitioner was found in the house of the informant where it is alleged that he was caught in a compromising position with the victim.

Considering the submissions made by the learned Senior counsel for the petitioner, let the petitioner above



named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Budhuchak P.S. Case No. 47 of 2022.

Accordingly, the present bail application stands allowed.

(Satyavrat Verma, J)

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