

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71496 of 2023

Arising Out of PS. Case No.-247 Year-2023 Thana- ISLAMPUR District- Nalanda

Chintu Kumar S/O Mahesh Prasad @ Mahesh Mahto R/O Village- Kundi,
Daruara, P.S- Noorsarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Uma Shankar Sharma
For the Opposite Party/s :	Mr.Ashok Kumar Singh
	Mr.Vibhuti Ranjan Sonvadra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner, State and informant.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 376 of the Indian Penal Code.

3. As per the prosecution case, on the false promise of marriage, the petitioner established physical relation with the informant and after four years of alleged relationship, the petitioner refused to marry 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.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for anticipatory bail.

6. 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, Hilsa (District Nalanda) in connection with Islampur P.S. Case No. 247 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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