

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70936 of 2023

Arising Out of PS. Case No.-300 Year-2023 Thana- SANGRAMPUR District- East
Champaran

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RAJA KUMAR SON OF SURENDRA DAS @ LOTAN DAS R/O
VILLAGE- PARSA, P.S.- BAGHA, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Chandra, Adv

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sangrampur P.S. Case No. 300 of 2023 registered on 20.08.2023
lodged under Sections 376 and 493 I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against the informant alleging that the accused person has
established physical relationship with the informant in lieu of
marriage since last five years. When she become pregnant, he
refused to marry her and upon refusal, the present case has been
filed.

4. Counsel for the petitioner submits that it is the case
of consensual physical relationship and no offence is made



under Section 376 and 493 of I.P.C. has been made out. Counsel also submits that in the medical report the age of victim was not minor, therefore, POCSO has also not been attracted.

5. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 21.08.2023 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail.

7. Upon specific query, whether charge has been framed in this case, counsel submits that charge has not been framed as per his knowledge.

8. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. However, petitioner is at liberty to renew his prayer for bail after framing of charge.

9. With this observation, the bail application stands rejected.

(Dr. Anshuman, J)

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