

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26586 of 2024

Arising Out of PS. Case No.-18 Year-2020 Thana- MAHILA PS District- Jamui

Chandramani Kumar Son Of Late Siddeshwar Prasad Resident Of Village-
Dalechak, Ps- Belaganj, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Navita Kumari D/o Singham Mahto R/o vill - Kakan, P.S. - Jamui, Distt. -
Jamui and presently R/o vill - Gonai, P.S. - Haveli Kharagpur, Distt. - Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Adv

For the Opposite Party/s : Mr. Ahmad Ali, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Jamui Mahila P.S. Case No. 18 of 2020 dated 06.04.2020 registered for the offences punishable u/s 376, 506 of the I.P.C. and Section 67 of the IT Act.

3. As per the prosecution case, the petitioner is alleged to have established physical relationship with the informant on the pretext of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. It is submitted that the victim girl is a major aged about 30 years. There was love affair between the petitioner and the victim and they establish their physical relationship with their own consent. The charge sheet has already been submitted. The petitioner has not uploaded any illicit photograph of the victim and he has no concern with the said ID on which the photo was uploaded. Learned counsel for the petitioner placed reliance on the judgment in the case of **Mandar Deepak Pawar Vs. State of Maharashtra & Anr. (Criminal Appeal No. 442 of 2022)** in which “a distinction was made between a false promise to marriage which is given on understanding by the maker that it will be broken and a breach of promise which is made in good faith but subsequently not fulfilled”. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.08.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the



like amount each to the satisfaction of learned Court concerned,
Jamui in connection with Jamui Mahila P.S. Case No. 18 of
2020, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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