

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32764 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- BARIYARPUR District- Munger

Pradum Kumar son of Sudhir Mandal Resident of Village- Sarswati Nagar,
P.S.- Bariyarpur, Dist.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Saurabh, Advocate
For the Informant	:	Mr. Raj Kumar Choudhary, Advocate
For the State	:	Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 26-07-2024 1. Heard learned counsel for the petitioner, learned counsel for the informant and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Bariyarpur P.S. Case No. 20 of 2024, dated 20.01.2024 registered for the offence(s) punishable under Section(s) 420, 376, 509 of the Indian Penal Code.
3. Mr. Shashi Saurabh, learned counsel for the petitioner submits that the FIR itself goes to show that the victim was 19 years old when she lodged the FIR and accordingly she was major when the alleged occurrence is said to have taken place with her, admittedly, the petitioner is relative of the informant and as per the statement made by the victim before the Judicial Magistrate, there was a love affair between



the petitioner and the so-called victim hence, the alleged offence under Section 376 of IPC is not made out. It is further submitted that the petitioner has been languishing in jail since 21.01.2024 and against him the investigation has been completed.

4. Mr. Raj Kumar Choudhary, learned counsel appearing for the informant as well as Mr. Ram Priya Sharan Singh, learned APP appearing for the State has vehemently opposed the bail prayer of the petitioner and submitted that the petitioner deceived the informant on the promise to marry her and established physical relationship with her and later on denied to perform marry with her.

5. Having regard to the above submissions and considering the facts and circumstances of this case and mainly the fact that in the statement recorded under Section 164 of Cr.P.C. the informant accepted her relationship with this petitioner and the FIR was lodged by the victim when marriage had not taken place in between the petitioner and the informant and also coupled with the completion of investigation against this petitioner, in my opinion, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail in connection with Bariyarpur P.S. Case No. 20 of 2024 on furnishing bail bond of Rs. 10,000/- (Ten Thousand)



with two sureties of the like amount each to the satisfaction of
the Court concerned.

(Shailendra Singh, J)

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