

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32147 of 2024

Arising Out of PS. Case No.-762 Year-2023 Thana- MADHAURAH District- Saran

Mithilesh Kumar @ Mithilesh Kumar Ravi Son Of Haras Prasad Resident Of
Village - Rampur Mahesh, P.S. - Taraiya, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr. Rajesh Kumar Singh, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Sanjay Kumar Pandey No. 5, Advocate
	:	Mr. Shyam Sundar Prasad, Advocate

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 07-10-2024 Heard learned counsel for the petitioner as well as learned
APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Marhowrah P.S. Case No. 762 of 2023, registered for the offences punishable under Sections 376, 406, 420 of the IPC.

3. Allegedly, the informant had been sexually assaulted by the petitioner on the threat of life of her kids since 2013.

4. Learned counsel for the petitioner has submitted that the marriage of sister of the petitioner was solemnized with the brother of the informant. As such they were relatives. There was love and affection between them but their marriage could not be solemnized. He has further submitted that the petitioner has refunded the entire amount of Rs. 8 lakhs to the informant. The petitioner is a person of clean antecedent and is under custody since 18.12.2023.

5. Learned counsel for the informant has vehemently



opposed the prayer for bail and submitted that the petitioner committed rape upon the informant multiple times and he also transferred Rs. 8 lakhs from the bank account of the informant to his own bank account by using Phone Pay application installed on the mobile of the informant.

6. Considering the above-mentioned facts and circumstances, the petitioner, above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra in connection with Marhowrah P.S. Case No. 762 of 2023, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

7. It has been submitted that the informant is working as a teacher in a school which is situated in the village of the petitioner. The petitioner is directed not to create any kind of hindrance in the working of the informant. If it is found that he creates any kind of hinderance, learned court below may take appropriate steps.

(Nawneet Kumar Pandey, J)

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