

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34454 of 2024**

Arising Out of PS. Case No.-481 Year-2023 Thana- MURLIGANJ District- Madhepura

Indra Kishor Kumar S/o Sri Satyanarayan Das R/o vill - Rajni, Prasadi  
Chowk, ward no. 13, 07, P.S-Murliganj, Dis-Madhepura ..... Petitioner/s  
Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Uday Chand Prasad , Advocate  
Mr. Manoj Kumar , Advocate  
Mr. Pooja Prasad , Advocate  
For the Opposite Party/s : Mr. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      23-05-2024                      Heard learned counsel for the petitioner and the  
  
State.

2. Petitioner apprehends arrest in a case registered for  
the offence punishable under sections 341 , 323 , 376, 504, 506  
and 34 of the Indian Penal Code .

3. As per the prosecution case, on the false pretext of  
marriage, this petitioner established physical relation with the  
informant.

4. The learned counsel for the petitioner submits that  
from F.I.R itself, it is apparent that the time when the  
relationship developed between both parties, the informant was  
major. Both of them enjoyed each other's company and  
indulged in sexual acts for more than five years, and the same  
cannot be said to be induced or involuntary.



The victim, in her statement recorded under Section 164 Cr. P. C., stated that the relationship between the parties continued for five years. The age of the victim is assessed to be 22 years. No recent sign of sexual intercourse has been found by the doctor. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the statement of the victim recorded under Section 164 Cr. P . C . , clean antecedent of the petitioner and other circumstances of the case , in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, 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 the learned Judicial Magistrate - 1<sup>st</sup> Class, Madhepura in connection with Murliganj P.S. case No. 481 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

**(Prabhat Kumar Singh, J)**

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