

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36790 of 2024

Arising Out of PS. Case No.-50 Year-2023 Thana- MAHILA P.S. District- Muzaffarpur

Rahul Kumar Son of Nand Kishore Rai Resident of village - Banvaspur
Bindwara, P.S.- Aurai, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sri Krishna Ranjan, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and counsel for the informant.

2. The petitioner seeks regular bail in connection with
Mahila P.S. Case No.50 of 2023 lodged under Sections 448 and
376 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against the petitioner against whom there is allegation
that he has developed physical relation with the informant in the
name of marriage, but subsequently, denied.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that from the allegation made in the F.I.R., the occurrence took
place on 22.09.2022, but F.I.R. has been lodged on 10.10.2023.

5. Counsel submits that it is true that as per the F.I.R.,



there was a physical relation between the petitioner and informant, but it is also true that the informant is aged about 21 years.

6. Counsel for the petitioner submits that petitioner is in custody since 15.12.2023 having clean antecedent. He also submits that case diary and statement of 164 of the Cr.P.C. have been called for.

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

8. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the bail application of the petitioner may be rejected as in the name of marriage, he has made physical relation with the informant and subsequently refused to marry with her, thereafter the present case has been filed.

9. Upon perusal of the statement of the victim, it transpires to this Court that the physical relation has been developed between them due to the result of love between them.

10. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate,
Muzaffarpur in connection with Mahila P.S. Case No.50 of
2023, subject to the following conditions as laid down under
Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

Prakashmani/-

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