

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42499 of 2024

Arising Out of PS. Case No.-213 Year-2024 Thana- SULTANGANJ District- Bhagalpur

VIKRAM KUMAR SON OF RANJEET PRASAD SINGH VILLAGE-
KIRANPUR, P.S.- SHAMBHUGANJ, DISTT.- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Adv.
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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

ORAL ORDER

3 12-08-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sultanjganj P.S. Case No. 213 of 2024 dated 07.05.2024 registered for the offences punishable under Sections 376 and 312 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have established physical relationship with the informant on the pretext of marriage due to which she became pregnant and later on the pregnancy was aborted at the instance of the petitioner. Thereafter, the petitioner continued with physical relationship with the victim. The petitioner flatly refused to



marry the informant after getting his job.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The victim is a major girl who knows the consequence of the act of the petitioner. Learned counsel has further submitted that the victim girl and the petitioner chose to have physical relationship with their own will. Learned counsel for the petitioner placed reliance on the judgment in the case of **Mandar Deepak Panwar 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 no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.05.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as 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 A.C.J.M.-Ist,
Bhagalpur in connection with Sultanganj P.S. Case No. 213 of
2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

shivam/-

U		T	
---	--	---	--

