

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52503 of 2024

Arising Out of PS. Case No.-60 Year-2023 Thana- MAHILA P.S. District- Kishanganj

Talim @ Md. Talim S/o- Khairuddin Resident of Village - Geramari, PS-
Paharkatta, Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 3 13-09-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of regular bail, arises out of Mahila Police Station Case No. 60 of 2023, dated 23.12.2023, disclosing offences under Sections 376/506 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioner committed rape upon the informant on 23.12.2022 and continued to make physical relationship with her on the pretext of marriage and threatened to make her video viral.
4. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case for putting pressure upon the petitioner to perform marriage with the informant. He next submits that in the statement recorded under Section 164 of the Indian Penal Code, the informant has narrated different story that the father of the informant asked the petitioner to perform marriage with her. The petitioner demanded four wheeler, cash, etc. and when the informant's father expressed incapability, he refused to marry the informant. However, during the course of trial the informant was examined as prosecution witness no. 1 and in her deposition she has not supported the prosecution story.

5. Regards being had to the submissions made by the parties and taking into consideration the statement of the victim-informant recorded during course of trial and the fact that the petitioner is in custody since 25.05.2024, I am inclined to grant regular bail to the petitioner.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Sub Divisional Judicial Magistrate, Kishanganj,



in connection to the Mahila Police Station Case No. 60 of 2023.

8. This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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