

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53051 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- HATHAURI District- Muzaffarpur

Sant Kumar Son of Bibhesh Singh R/o Village - Sohijan, P.S.- Hatauri, Dist.-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sanjay Parasmani, Advocate
For the State	:	Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his 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 prosecution case, on the false pretext of marriage, this petitioner established physical relations with the informant and continued to exploit her for eight years. It is further alleged that on 04.01.2024, when the informant along with her mother went to house of petitioner, both of them were abused and assaulted.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has falsely been implicated in this case. From bare perusal of the F.I.R. it is apparent that both petitioner and informant enjoyed each other's company for eight



years and indulged in sexual act being fully aware of the consequences of the relationship, as such, the same cannot be said to be induced or involuntary. It is further submitted that the medical board has assessed the age of the victim as 22 years old. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned J.M. First Class, Muzaffarpur (East), in connection with Hatauri P.S. Case No. 45 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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