

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54729 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- MAHILA PS District- Khagaria

Suraj Kumar S/o Deepak Singh @ Deepak Prasad Singh R/o vill - Deepak
Sweeta B.S.N.L. office Kachahari Road, P.S. - Chitragupta Nagar, Distt. -
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 13-11-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Mahila
P.S. Case No. 15 of 2024 instituted for the offences under
Sections 376 & 506 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
petitioner is of sexually assaulting the Informant on the false
pretext of marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. The
petitioner is in custody since 09-04-2024 and has one criminal
antecedent. On recovery, the statement of the victim has been



recorded under Section 164 Cr.P.C. in which she has not supported the allegation made in the F.I.R. The petitioner is alleged to have established physical relationship on the assurance of marriage. It is submitted that petitioner is already married since 2017 and he was in love affair with the informant since 2021. It is also submitted that victim was aware of the fact that petitioner is married. Learned counsel for the petitioner has further placed reliance on cases of the Hon'ble Supreme Court since reported in **2018 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharastra & Ors)** and **(2019) 9 SCC 608 (Pramod Suryabhan Pawar vs. The State of Maharashtra and Ors.)**.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Other witnesses have supported the prosecution case, which fact find mention at paragraph Nos. 4 & 7 of the case diary.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Mahila P.S. Case No. 15 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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