

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59092 of 2024

Arising Out of PS. Case No.-198 Year-2024 Thana- DAUDNAGAR District- Aurangabad

Nagendra Kumar Son Of Sidheshwar Yadav R/V- Village- Paharawan, P.S.-
Mufassil, Distt.- Aurangabad, At Present Posted As Sepoy, Gorkha Regiment,
Rupa Asthan , Arunachal Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh, Adv.

Mr. Ujjwal Raj, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Daudnagar P.S. Case No. 198 of 2024 registered under Section
376 of the Indian Penal Code.

3. It is alleged that petitioner established physical relation
with informant on pretext of marriage.

4. Learned counsel appearing on behalf of the petitioner
submits that both parties are major. From perusal of the F.I.R., it
is apparent that both parties were in relationship for quite some
time and enjoyed each other's company for months together and
indulged in sexual acts, and as such, it cannot be said to be
induced or involuntarily. The relationship was consensual. The



informant was very much capable of understanding the consequences of her action.

5. Learned A.P.P. for the State opposed the prayer for bail.

6. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Daudnagar P.S. Case No. 198 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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