

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62853 of 2024

Arising Out of PS. Case No.-272 Year-2024 Thana- DIGHA District- Patna

Vinay Kumar Patel Son of Naresh Patel Resident of Rasulpur, OCD Rasulpur,
Police Station- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Adv.

For the Opposite Party/s : Mr. Dinesh Singh, APP

Mr. Dhananjay Kumar Tiwary, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-10-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in connection with
Digha P.S. Case No. 272 of 2024 registered under Sections 376,
420, 504, 506 and 34 of the Indian Penal Code.

3. It is alleged that petitioner made physical relation with
informant on the false promise of marriage, and thereafter
refused to marry. It is further alleged that petitioner and his
family members also demanded Rs. 5 lakhs and threatened
informant not to make pressure for marriage.

4. Learned counsel appearing on behalf of the petitioner
submits that both parties are major. From bare perusal of the
F.I.R., it is apparent that both parties were in relationship for



more than two years and enjoyed each other's company, and indulged in sexual act 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. Petitioner has got clean antecedent.

5. Learned counsels for the State and the informant 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 six 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 Additional Chief Judicial Magistrate-XIII, Patna in connection with Digha P.S. Case No. 272 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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