

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70163 of 2023

Arising Out of PS. Case No.-299 Year-2023 Thana- BELAGANJ District- Gaya

Chandan Kumar Son Of Umesh Ram @ Umesh Das Village- Akathu Po-
Chakand Ps- Belaganj Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376, 323, 341, 504, 307 and 34 of the Indian Penal Code.

3. Allegation against the petitioner is that he established physical relationship with the victim on the pretext of solemnization of marriage. It is further alleged that petitioner assaulted her as well.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that from perusal of the statement of the victim recorded under Section 164 of the Cr.P.C. is that the relationship between both



of them seems consensual and the age of the victim/informant is about 22 years. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 16.05.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge if the charge is not framed** in connection with Belaganj P.S. Case No. 299 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya.

(Sunil Kumar Panwar, J)

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