

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75601 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- MAHILA P.S. District- Samastipur

Chandan Kumar Son Of Ram Nath Mahto R/O Village- Khanpur, Ward No.3,
P.S.- Khanpur, District- Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-01-2024 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, 341, 504, 506 of the Indian Penal Code.

3. As per prosecution case, allegation against the petitioner is of causing sexual relation with the informant on the pretext of solemnization of marriage.

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 also submitted vide para 13, 14 & 15 of the petition that the victim is aged about 18 years. She is major and she met regularly with the petitioner on several occasions, and engaged in sexual intercourse. From



perusal of case diary, it seems there is consensual relationship between the informant and the petitioner. It is also submitted that the mother of the petitioner has filed several petition before Superintendent of Police, Samastipur against the victim and her family members stated therein that she was blackmailing. Moreover, the petitioner is languishing in judicial custody since 31.7.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the victim stated in her statement recorded u/s 164 of the Cr.P.C. that she was sexually harassed by the petitioner several times and the petitioner also threatened her to kill his father.

6. Considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mahila P.S. Case No. 26 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 Sub Divisional Judicial Magistrate, Samastipur.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

