

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74184 of 2024**

Arising Out of PS. Case No.-33 Year-2024 Thana- Rajeshwari District- Supaul

Pravesh Kumar Rishideo @ Pravesh Kumar Son of Inardeo Rishideo Resident  
of Village - Garhgama Ward No. 02, Police Station - Narpatganj, District -  
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      22-10-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Rajeshwari P.S. Case No. 33 of 2024 for the offences punishable under Sections 376 IPC, lodged on 08.06.2024 by the informant.

3. As per the prosecution story, the informant alleged that she is a married lady but was having affairs with the petitioner which resulted into physical relationship between them. Further, the petitioner also gave false promise of marriage. When the husband came to know about the same, he abandoned the informant which followed the arrival of female child. As the petitioner kept on procrastinating, a Panchayati was also held but due to demand of dowry by the family, the



present case.

4. Learned counsel for the petitioner submits that a perusal of the FIR would show that the lady being an adult, married, blessed with a child consented to the physical relationship, even if the FIR is to be believed, in that background, no case of rape is made out but he is suffering by being in custody since 08.06.2024 (para-13 of the petition). Further, the petitioner has got no criminal antecedent.

5. Learned APP opposes the prayer submitting that he gave false promise of marriage.

6. A married lady, adult, allowed the petitioner to have physical relationship, there cannot be any pretext of false assurance of marriage, FIR lodged, after the police completes its work, the trial will be on, the petitioner has remained in custody since 08.06.2024, he has no criminal antecedent and is a young person, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member of



the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

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