

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73198 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- MAHILA P.S. District- Siwan

Ritesh Kumar @ Ritesh Singh Son Of Hareram Singh Resident Of Village
-Junaidpur (Juned Pur), P S- Basantpur, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Mohan Singh

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-02-2024 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 107, 108,
109, 420, 354(C), 376/34 of the Indian Penal Code.

3. As per complaint case, allegation against the
petitioner is of having sexual relationship with the complainant/
victim on the false pretext of solemnization of marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. It further
submitted vide para 6 of the petition that the petitioner and the
complainant are relative and when the petitioner got government
job, the complainant's family put pressure on him for
performing marriage with the victim but the petitioner denied



due to which he has falsely been implicated in this case. For the alleged occurrence of 9.11.2021, the case was lodged in delay on dt. 10.1.2023. From perusal of complaint case, it appears that the victim/complainant is major and there is consensual relationship between both the parties. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 21.8.2023.

5. Learned APP appearing for the state and learned counsel for the complainant have vehemently opposed the prayer of regular bail and submitted that the petitioner cheated the victim and having physical relationship with the victim.

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 Siwan Mahila P.S. Case No. 01 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 SDJM, Siwan.

(Sunil Kumar Panwar, J)

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