

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76544 of 2023

Arising Out of PS. Case No.-507 Year-2023 Thana- ROSERA District- Samastipur

Suraj Kumar @ Suraj Kumar Sahni S/O Sikandar Sahni @ Wakil Sahni R/O
Village- Sakara Basa, P.S- Cheriya Bariyarpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 376 of the Indian Penal
Code.

3. The allegation against the petitioner is of
committing rape upon the informant on the false pretext of
marriage.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that victim is a major lady,
who is aged about 20 years. There is a consensual relationship
between the petitioner and the victim. There is a major
contradiction between the prosecution case and the statement of



the victim recorded u/s 164 of the Cr.P.C. He further submitted that Medical report has not supported the prosecution case. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 14.09.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st Class, Rosera, Samastipur in connection with Rosera P.S. Case No. 507 of 2023.

(Sunil Kumar Panwar, J)

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