

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85388 of 2023

Arising Out of PS. Case No.-150 Year-2022 Thana- DAUDNAGAR District- Aurangabad

Munna Khan Son of Chhotu Khan Resident of village- Munshi Mohalla (Bari Masjid) Ward No. 7, P.S.- Daudnagar , District- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 02-02-2024 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Daudnagar P.S. Case No. 150 of 2022 dated 23.03.2022 registered for the offence(s) punishable under Section(s) 376 of the Indian Penal Code.
3. The main submissions advanced by learned counsel for the petitioner are that the petitioner earlier preferred Cr. Misc. No. 48798 of 2022 for the relief of regular bail but the same was dismissed on account of that petition being not maintainable and now the petitioner has again come for the said relief mainly on the ground of his custody period which has been about 18 months and so far as the merit of the allegation, is concerned as per allegation the petitioner established sexual



relationship with the so-called victim on the pretext of marriage but the said allegation is completely false and the victim has been examined in the petitioner's trial and her deposition's copy has been filed as Annexure- 4 which goes to show that the victim accepted her matrimonial relationship with this petitioner and she did not make any allegation against him before the trial court while recording her statement.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions, this court is inclined to accept the bail prayer of the petitioner. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Daudnagar P.S. Case No. 150 of 2022.

(Shailendra Singh, J)

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