

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3201 of 2024

Arising Out of PS. Case No.-45 Year-2023 Thana- JALALPUR District- Saran

Monu Kumar Singh S/O Kanhaiya Singh R/o G.S. Bangra, P.S- Jalalpur, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Harish Kumar
For the Opposite Party/s :	Mr.Uma Shankar Prasad Singh
	Mr.Harsh Anuj

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 10-04-2024 Heard learned counsel for the petitioner, State and informant.

2. The petitioner apprehends his arrest in a case registered for offence under Sections 376, 506, 34 of the Indian Penal Code.

3. As per F.I.R., there is allegation against this petitioner that he made physical relation with informant, who is already married, on the pretext of marriage and subsequently, abandoned her. It is further alleged that elder brother of this petitioner namely Sonu Kumar Singh threatened her to give up the matter otherwise she would face consequences.

4. Learned counsel for the petitioner submits that the informant is a married lady and with her consent, petitioner established physical relation with her. Both of them engaged in



sexual activity for quite some time, which cannot be said to be induced and involuntary. As such, allegation of inducement and commission of rape is not made out against the petitioner. Co-accused Mithilesh Kumar Sonu @ Sonu Kumar Singh has already been granted anticipatory bail by this Court, vide order dated 21.08.2023 passed in Cr.Misc. No. 54126 of 2023 (Annexure P/7).

5. Learned A.P.P. and learned counsel for the informant vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged 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 Addl. Chief Judicial Magistrate 13th, Chapra, Saran in connection with Jalalpur P.S. Case No. 45 of 2023 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Anay/Utkarsh

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