

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6697 of 2025

Arising Out of PS. Case No.-37 Year-2024 Thana- MAHILA PS District- Gaya

Rahul Kumar S/O Tuntun Das Resident of Village- Katari, P.S.- Chaudati,
Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr. Advocate
		Mr. Shyam Kishore, Advocate
For the Opposite Party/s :		Mr. Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 19-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner is in custody in a case registered for an offence punishable under Sections 376, 313, 323, 341, 504, 506, 354(C) of the Indian Penal Code in connection with Mahila P.S. Case No.37 of 2024.

3. As per the prosecution story, on 19.07.2024, informant has given written complaint that petitioner was cheating her for the promise of marriage and has done sexual exploitation for five years by taking her family in confidence after which she became pregnant four times and all the times her miscarriage was done by the petitioner. It is also alleged that petitioner belongs to her maternal home and regularly come to



the rented home and trapped her in false love and made physical relationship with her and when she pressurized him for marriage then he assaulted her and denied to marry. There is further allegation that petitioner has also taken objectionable photographs and video of the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in this case. He further submits that petitioner and informant were in a relationship with their own consent and both are major as in her statement recorded under Section 183 of BNS. she has stated that she is 23 years old. He further submits that during investigation, the owner of the rented room disclosed that the petitioner was residing on the rent from last two years but the informant never came/visited there. He further submits that the allegation of miscarriage/abortion is totally false as informant has not brought any material on record to corroborate the allegation. He next submits that police have not recovered any obscene video and photo of the informant from the mobile of the petitioner. Petitioner is in custody since 20.07.2024. He further submits that from perusal of the medial report, it appears that there is no evidence of recent sexual intercourse. He further submits that petitioner has got no criminal antecedent as stated



in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the First Information Report, medical report and impugned order dated 09.12.2024, it appears that there is no evidence of recent sexual intercourse and no material has been brought on record which suggests that allegation of miscarriage as levelled against the petitioner is found to be true and petitioner has got no criminal antecedent, so considering the aforesaid facts and circumstances of the case, submission of the learned counsel for the petitioner, let the above named petitioner be released on bail, on his furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Gaya in connection with Mahila P.S. Case No.37 of 2024.

(Ramesh Chand Malviya, J)

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