

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61500 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- MAHILA PS District- Khagaria

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Aman Kumar S/O Shri Pappu Kumar Singh @ Pappu Mahto Resident Of
Village - Kamalpur, Parmanandpur, P.S. Balia, District -BEGUSARAI, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohit Agarwal, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-01-2025 Heard Mr. Mohit Agarwal, learned counsel for the

petitioner and Mr. Khurshid Anwar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mahila P.S. Case No. 17 of 2024, F.I.R. dated 25.04.2024 for the offences punishable under Sections 376 and 379 of the Indian Penal Code.

3. According to prosecution case, petitioner has forcibly established physical relation with the informant due to which she became pregnant. After knowing that the informant is pregnant the petitioner told her they will get married and for which he also taken Rs.2,00,000/- in cash and jewellery from her. After taking the money the petitioner deceitfully ran away from there.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case in fact the petitioner was in love with the victim. He further submits that with the consent of the victim the petitioner has made physical relationship with the victim. He further submits that it appears from the FIR itself that the date of occurrence as alleged in the FIR is 20.01.2024 but the present FIR instituted on 25.04.2024 after a delay of more than three months and in fact the victim is a married lady and medical report of the victim also suggests that the age of victim is more than twenty years.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 learned Chief Judicial Magistrate, Khagaria in connection with FIR bearing Mahila P.S. Case No. 17 of 2024, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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