

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37910 of 2014

Arising Out of PS.Case No. -106 Year- 2014 Thana -JHANJHARPUR District- MADHUBANI

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1. Sunil Kumar Ray @ Sunil Ray Son of Late Rampati Ray resident of village - Khurkhuriya, P.S. - Katya, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the State Mr. Nityanand Tiwary, APP
For the informant Mr. Manish Kumar no.13

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

04/ 06.02.2015 Heard learned counsel for the petitioner, learned Addl. Public Prosecutor for the State as well as learned counsel for the informant.

The accusation against the petitioner is that he established physical relationship with the informant and when she became pregnant, petitioner assured her to marry with her but when she delivered a child, petitioner refused to marry with her.

The contention on behalf of the petitioner is that informant is lady of questionable character and a quarrelsome lady. It is pointed out by him that prior to filing of the present case, informant filed complaint case bearing CR No. 758 of 2007 against her husband but subsequently, she solemnized her marriage with one Vikash Kumar Mahaseth and left pairvi in CR No. 758 of 2007. It is further contended by him that, as a matter of fact, when the petitioner was

transferred, informant was set up by the enemies of the petitioner and they got instituted the present case against the petitioner.

No doubt, in her statement recorded under section 164 Cr.P.C, informant supported her allegation but taking note of this fact that promise of marriage was made after establishment of physical relationship, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Madhubani in Jhanjharpur P.S. Case no. 106/2014.

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(Hemant Kumar Srivastava,J)

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