

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47461 of 2015

Arising Out of PS.Case No. -347 Year- 2014 Thana -KHAZANIHAT District- PURNIA

Sanju Besra @ Sanjay Besra, son of Late Babulal Besra, R/o Village- Woli
Tola, P.S.- K. HDistrict- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Dr. Bidhu Ranjan, Advocate

For the Opposite Party : Mr. Ram Shankar Das, Spl. APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-11-2015

This is an application for grant of regular bail in favour of the petitioner who is an accused in K Hat (Madhubani) PS Case No. 347 of 2014 registered for the alleged offences punishable under Sections 376, 417. 493, 511/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the prosecution case is malicious and has been instituted because of marital discord between the petitioner and the informant. He submits that admittedly the petitioner and the informant are married and they have begotten children out of the said wedlock. He submits referring to the complaint petition which is the basis of institution of the First Information Report that no offence under Section 376 IPC is made out. The petitioner is in custody since 15.2.2015.

In view of the submission as above, this application is allowed.

Let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Purnea in K Hat (Madhubani) PS Case No.347 of 2014.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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