

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19183 of 2015

Arising Out of PS.Case No. -20 Year- 2015 Thana -MASRAKH District- SARAN

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Suraj Kr. @ Suraj Kumar, Son of Shankar Prasad, resident of Village-
Dumarshan, P.S.-Mashrak, District-Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Adv.

For the Informant : Mr. Sumit Kumar, Adv.

For the Opposite Party/s : Mr. Braj Kishore Prasad (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 25-06-2015 Heard learned counsel for the petitioner,

learned counsel for the informant and learned

Assistant Public Prosecutor for the State.

 This is an application seeking anticipatory bail

in a case registered for the offences punishable under

Sections 376/307/120(B) of the Indian Penal Code.

 It is alleged in the complaint petition, which is

the basis of institution of the First Information

Report that the petitioner assuring the informant that

he would marry her, established physical relationship

and subsequently refused to marry with her.

 Learned counsel appearing on behalf of the

petitioner has drawn my attention to Annexure-2 to

the present bail application and has submitted that the informant is already married to one Surendra Prasad and, therefore, there is no question of the informant giving any assurance of marriage.

Learned counsel appearing on behalf of the informant, while not denying the fact that the informant is already married to Surendra Prasad, has contended that the petitioner is threatening her of her life and the life of her child.

In view of the admitted that the informant is already married, in my opinion, on the basis of allegation, as contained in the complaint petitioner/First Information Report, no offence under Section 376 of the Indian Penal Code, *prima facie*, is made out against the petitioner.

In view of the above, let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Judicial Magistrate, Ist Class, Saran, Chapra** in connection

with **Masrak P.S. Case No. 20 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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