

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48037 of 2014

Arising Out of PS.Case No. -45 Year- 2014 Thana -MAHILA P.S District- SUPAUL

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1. Parmeshwar Pandey S/o Tarkeshwar Pandey R/o Gaudpara, P.S.-
Chhatapur, District-Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. P.N.Pandit(App)

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

2 03-03-2015 Heard.

The prayer for bail of the petitioner has been rejected by
Incharge Adhoc ADJ-II, Supaul in Bail Application No.393 of
2014 by order dated 09.10.2014.

The prosecution was launched through a petition of
complaint and what appears undeniably appearing from the
contention as also from the record made by the learned Additional
Sessions Judge is pointed out by the rejection order, there was
dispute between the parties for certain land as the dispute was
chronic besides talk the above circumstances the parties had
compromised with the intervention of their well-wishers as
appears recorded by the learned trial Judge in paragraph-4 of the
impugned order. Notwithstanding the allegations, the other

supporting material in favour of the petitioner was that no FIR was lodged, the lady did not go for medical examination and chose, as was submitted, the most convenient method of launching the prosecution by filing a complaint and sending a copy of the same to the police station for investigation.

Considering the above circumstances and the manner in which the prosecution was launched as also considering the absence of the medical evidence in support of the charges, let the above named petitioner be released on bail on furnishing bail bond of Rs.5,000/-(five thousand) with two sureties of the like amount each to the satisfaction of Mukesh Kumar, Judicial Magistrate, Ist Class, Supaul in Mahila Thana P.S.Case No.45 of 2014.

(Dharnidhar Jha, J)

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