

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55947 of 2015

Arising Out of PS.Case No. -34 Year- 2015 Thana -MAHILA PS District- KHAGARIA

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Panchu Kumar @ Panchu Kumar Das son of Bishundeo Das, resident of
village- Rajendra Nagar, Baisha, P.S.- Parbatta, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Advocate

For the Opposite Party/s : Mr. Pradip Narayan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 15-12-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Mahila P.S.
Case No.34 of 2015 registered under Sections 341, 323, 354 and
379/34 of the Indian Penal Code.

It is contended that as a matter of fact the present case
has been instituted in retaliation to Parbatta P.S. Case No.235 of
2015 lodged against the informant's father and her family
members for the assault made upon the petitioner. The said case
was instituted on 30th July, 2015 and, thereafter, the instant case
was instituted against the petitioner on 1st August, 2015. It is
further contended that in the incident which took place on 30th
July, 2015 the petitioner was badly injured for which he was
admitted to Jawahar Lal Nehru Medical College Hospital,

Bhagalpur for treatment of his eye. It is also contended that the manner in which the present FIR has been instituted would demonstrate that ingredients of the offence punishable under section 376 of the Indian Penal Code are not attracted.

Learned counsel for the State has vehemently opposed the application for grant of bail to the petitioner. It has been contended that the FIR would make it evident that the petitioner exploited the informant for five years on the pretext of marriage and consequently married another girl.

Be that at it may, regard being had to the facts and circumstances of the case, the above named petitioner is directed to 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 learned 1st Additional Sessions Judge, Khagaria in connection with Sessions Trial No.311 of 2015 arising out of Mahila P.S. Case No.34 of 2015.

(Ashwani Kumar Singh, J)

Md.S./-

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