

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35048 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -MAHILA P.S. District- PATNA

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1. Satyanand son of Malay Kumar resident of Village - Amarpura, P.S. Pali,
District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma
Mr. Ramakant Sharma, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 02-12-2015 Heard learned counsel for the petitioner and the

State.

The petitioner is apprehending his arrest in a

case registered for the offence under section 376 of the Indian

penal Code.

Earlier case diary was called for which has been

received.

Learned counsel for the petitioner submits that

the allegation made against the petitioner is misconceived as no

case under section 376 of the I.P.C. is made out . It is further

submits that the petitioner is a student of B.N. College and

pursuing study and only because there was friendship between

the petitioner and the informant which led communication on

telephone, the informant in order to rope in the petitioner has

levelled the allegation of marriage, which is nothing but mischievous prosecution. Learned counsel for the petitioner submits that whatever be the consequence the petitioner will have to face his trial and appear before the court as and when required.

Learned counsel appearing on behalf of the State after perusing the case diary submits that the girl in her statement recorded under section 164 Cr.P.C. has fully supported the first information report and the proposition that the petitioner had married the girl as also the witnesses has stated in several paragraphs of the case diary.

However, considering the fact that the petitioner has no criminal antecedent, let the above named petitioner in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order be released on bail on furnishing bail bond of Rs. 10000/- (ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Patna in connection with Gandhi Maidian P.S. Case No. 10/15, subject to the conditions laid down under section 438(2) Cr.P.C.

(Anjana Mishra, J)

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