

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 2232 of 2015

Arising out of P.S. Case No. -185 Year- 2014 Thana -KORHA
District- KATIHAR

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Manoj Kumar Mahto Son of Deo Narayan Mahto Resident of
Village - Ramailee, P.S- Rautara, District - Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s: Mr. Arun Kr. Panday (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 20.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for
the offences under Section 376 of the Indian Penal Code.

Considering the statement of the alleged victim
who is an adult from which it appears that it was
consensual relation-ship with the Petitioner and there is
no other case of similar nature pending against him, let
him be released on bail on furnishing bail bond of Rs.
5,000/- (Five Thousand) with two sureties of the like
amount each or any other surety as fixed by the Court to
the satisfaction of Chief Judicial Magistrate, Katihar in
connection with Korha P.S. Case No. 185 of 2014 (G.R.
No. 3368 of 2014) subject to the following conditions:- (i)
That one of the bailors will be a close relative of the

Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is he shall not be released on bail. (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iv) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse. (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J.)

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