

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41228 of 2014

Arising Out of PS.Case No. -69 Year- 2014 Thana -BHAWANIPUR District- PURNIA

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Khokho Mandal, son of late Bala Mandal, resident of village-
Babhanchakka, P.S.- Bhawanipur, District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. T.N.Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 09-02-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 498(A), 323, 376 of IPC.

The victim filed complaint petition alleging inter alia
that her husband died and thereafter, she came to her mother's
house. Later on, she went to the house of her elder sister and after
meeting with the petitioner they came together and the petitioner
committed her rape. Later on, due to fear of society the petitioner
married. After marriage both of them lived together for four
months, thereafter, the petitioner demanded Rs.50,000/- and
tortured her. Due to non-fulfilment of demand of dowry she has
been ousted by the petitioner.

Learned counsel for the petitioner submits that the

complaint case was registered as Bhawanipur P. S. Case No. 69 of 2014 and during investigation it has come to light that formal husband of the complainant/informant is alive and she does not want to live with him. The petitioner has no criminal antecedent.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Purnea/court concerned in Bhawanipur P. S. Case No. 69 of 2014 with following conditions:-

1. The petitioner will not indulge himself in similar or any other offence.
2. One of the bailors must be the close relative of the petitioner.
3. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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