

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29570 of 2016

Arising out of PS.Case No. -4 Year- 2016 Thana -MALAYPUR District- JAMUI

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Deepak Kumar, son of Prakash Mandal @ Jay Prakash Mandal, resident of village- Ujhandi, P.S. Jamui, District Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Adv.

For the State : Mr. Ataur Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 27-07-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner is in custody since 9.6.2016 for the offences punishable under Section 354 of the Indian Penal Code.

From perusal of impugned order, it appears that the statement of victim was recorded under Section 164 of the Cr. P.C. in which she stated that she was in touch with the petitioner since the year 2010 and later on, in the year 2013, she established physical relationship with him on the assurance that the petitioner will solemnize marriage. Subsequently, petitioner refused to marry with her. Admittedly, at the time of institution of present case, the victim was aged about 20 years, so, the aforesaid circumstance goes to show that she established physical relationship with

petitioner when she became major. Moreover, the written report of informant reflects that petitioner gave proposal of marriage several times but it was victim’s father i.e. informant, who himself refused to get the marriage of victim solemnized with the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jamui, in connection with Malaypur P.S. Case No. 4 of 2016.

(Hemant Kumar Srivastava, J)

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