

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44838 of 2016

Arising Out of PS.Case No. -113 Year- 2016 Thana -KATIHAR MUFFASIL District- KATIHAR

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Nepali Prasad Mandal S/o late Puran Prasad Mandal Resident of Village-
Batheli, P.S. Katihar (Muffasil), District Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Karuna Kant Jha, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 06-12-2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Katihar (Mufassil) P.S. Case No.113 of 2016 for the offences
registered under sections 376 and 312 of the Indian Penal Code.

The informant gave written report to Officer-in-Charge of
Mufassil Police Station on 7.6.2016 alleging therein that son of the
petitioner established physical relation with her on false promise
of marriage but when she became pregnant, the son of the
petitioner refused to marry with her and when complain was made
to the petitioner, petitioner got aborted her pregnancy. However,
the statement of the informant was recorded under Section 164 of
the Cr.P.C. on 6.8.2016, i.e., after two months of the institution of



the present case in which the informant stated that the son of the petitioner has already solemnized marriage with her. In the said statement, she has not whispered even a single word against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner above named, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Katihar in Katihar (Muffasil) P.S. Case no. 113 of 2016 subject to condition as laid down under section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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