

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52658 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -BASOPATTI District- MADHUBANI

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Sanjeet Mandal, son of Sri Ram Bahadur Mandal, resident of Village- Seli
Beli Tole Baskatwa, P.S.- Basopatti, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babita Kumari, Advocate.

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 19-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Basopatti P.S. Case No. 28 of 2016 registered under
Sections 376, 323, 379 of the Indian Penal Code and Section
3/4 of the Dowry Prohibition Act.

The accusation is that marriage of informant was
performed with Pradeep Mandal, son of accused no. 2, and out
of wedlock one female child was born who is aged about three
years. Pradeep Mandal died before three years and thereafter
she wanted to go to her *Maika* but accused no. 2 Ram Bahadur
Mandal asked her to arrange the marriage with this petitioner.
On assurance to perform the marriage, petitioner developed



physical relation with the informant. When she asked to perform the marriage, petitioner and his family members did not take any heed and family members of the petitioner tried to settle the marriage to another place. When informant made protest then petitioner along with his family members started to assault and make demand of Rs.1,00,000/- from her father. Thereafter informant was ousted from the house.

Learned counsel for the petitioner submits that, in fact, there is age difference, more than 10 years, between the petitioner and the complainant-informant, as such, no question arises about assurance to perform the marriage of the petitioner having one daughter with petitioner only to give undue pressure, complainant, who is widow sister-in-law of the petitioner, has lodged this false case, so that her marriage may be performed with this petitioner in spite of much age difference.

Considering the aforesaid submissions, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the J.M. Ist Class, Madhubani, in



connection with Basopatti P.S. Case No. 28 of 2016, subject to
the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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