

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37248 of 2016

Arising Out of PS.Case No. -47 Year- 2014 Thana -MAHILA PS District- KATIHAR

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1. Upendra Mandal @ Upendra Kumar Mandal Son of Govind Das, resident of Village- Dilarpur Purani Sij, P.S.- Manihari, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 19-12-2016

Heard learned counsel for the petitioner and
learned counsel for the State.

Petitioner seeks bail in connection with Sessions
Trial No. 118 of 2016 arising out Katihar Mahila P.S. Case No.
47 of 2014 registered under Sections- 376, 498A/34 of the
Indian Penal Code and sections 3/4 of the Dowry Prohibition
Act.

Petitioner is alleged to have sexually exploited the
informant for about two years on assurance of marriage. On
pressure, he married the informant, however petitioner
performed second marriage after assaulting and ousting the
informant from his house.

Learned counsel for the petitioner submits that



petitioner was granted bail by this Court vide order dated 18.08.2015 passed in Cr. Misc. No. 35446 of 2015. Further, by the said order, the Court below was directed to conduct enquiry with regard for performing marriage of the petitioner with the informant. It is further submitted that no such enquiry was conducted by the Court below.

Considering the facts and circumstances of the case specially the fact that enquiry as directed by this Court has not been conducted by the Court below, the petitioner above named is directed to 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 Sessions Judge, Katihar in connection with Sessions Trial No. 118 of 2016 arising out of Katihar Mahila P.S. Case No. 47 of 2014.

(Arvind Srivastava, J)

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