

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51272 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -NAUHATTA District- SAHARSA

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Maniraj Kumar Singh @ Mohan Singh @ Mairaj Ahmad, S/o Late Basant Kumar Singh, Resident of Village+P.S.- Nauhatta, District- Saharsa.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.
For the State : Mr.
For the Informant : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 08-12-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioner apprehends his arrest in connection with Nauhatta P.S. Case No.34 of 2016 registered under Sections 376, 420, 323 and 506 of the Indian Penal Code.

The accusation is that this petitioner developed physical relation with the informant, who is a divorced lady, and also performed the marriage with her at Nauhatta (Sahidih) Rajeshwar Asthan Temple and notary affidavit was also prepared on 27.12.2011 in this regard. Thereafter, the informant was being subjected to torture by the members of her community and this petitioner was also being subjected to torture by his family members. Due to that reason, the petitioner adopted the Muslim religion and took the informant to Delhi and



performed the marriage with the informant according to Muslim customs on 09.10.2013 and, thereafter, the petitioner kept the informant at several places and tortured her through various modes and now, the petitioner is residing with his family members and is trying to perform another marriage.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the only allegation against the petitioner is that he is going to perform another marriage in spite of performing the marriage with the informant according to Muslim customs. Except that, there is nothing against the petitioner in the written report of the informant to show forgery and rape committed by him with the informant.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-III, Saharsa, in connection with Nauhatta P.S. Case No.34 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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