

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31807 of 2016

Arising Out of PS.Case No. -44 Year- 2015 Thana -MAHILA P.S. District- MADHUBANI

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1. Lal Mukhiya Son of Sante Mukhiya @Satya Mukhiya Resident of
Village- Ram Nagar, Dhanshi P.S. Rahika Distrct Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 17-10-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 18.12.2015 in a case
registered under section 376 and other minor sections of the Indian
Penal Code as well as section 4 of the POCSO Act.

The accusation against the petitioner is that he
established physical relation with a minor girl on the false promise
of marriage, as a result of which the aforesaid girl became
pregnant but, subsequently, petitioner refused to solemnize his
marriage with the victim.

Submission on behalf of the petitioner is that the victim
has already solemnized her marriage with the petitioner and, now,
she does not have any grievance with the petitioner. To fortify the

aforesaid contention, learned counsel for the petitioner drew my attention towards Annexures-2 and 3 to the petition.

The record of the case goes to show that this Court issued notice to the victim, which was personally served upon her, but she did not choose to appear before this Court.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Madhubani in connection with Mahila P.S.Case No. 44 of 2015.

(Hemant Kumar Srivastava, J)

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