

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47233 of 2017

Arising Out of PS.Case No. -36 Year- 2016 Thana -MAHILA P.S. District- BHAGALPUR

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Ajit Kumar Son of Gopal Mandal, R/o Village- Purani Khaira, P.S.-
Sahkund, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Bhagalpur
P.S. Case No. 36of 2016 registered for the offences punishable
under Sections 376 and 420 of the Indian Penal Code.

Allegation against the petitioner is of committing physical
relationship with the sister-in-law (Sali) of the informant on the
pretext of marriage but the petitioner has not married her.

Submission of learned counsel for the petitioner is that the
girl is major and the F.I.R. itself shows that the relationship was
with consent and the F.I.R. was lodged after such a long time.

Heard learned APP also.

Having heard both sides and in view of the facts and
circumstances, as stated above, let the petitioner, above named, be



released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Bhagalpur in connection with Bhagalpur Mahila P.S. Case No.36 of 2016 subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties in the jurisdiction of court concerned.
- (2) Petitioner shall co-operate in trial and appear on each and every date and on failure to appear on two consecutive dates without showing any genuine ground or without permission of court, his bail bond shall be cancelled.
- (3) He will not make any threat to the informant otherwise his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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