

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10553 of 2017

Arising Out of PS.Case No. -457 Year- 2015 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Kailash Rai S/o Late Parikshan Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratna Deep Prasad

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 16-03-2017

Heard both sides.

The petitioner apprehends his arrest in Mahua P.S. case No. 457 of 2015 under Section 467, 468, 471, 34 of the Indian Penal Code.

The informant filed complaint case No. 2556 of 2015 on the basis of which the present FIR was registered. The informant alleged in the complaint petition that his uncle was Prem Lal Rai, who was married with Indu Devi @ Ram Dulari Devi 14 years ago but his uncle was ill and that is why parents of Indu Devi got her married with petitioner, Kailash Rai, in the year 2003. The informant further alleged that Indu Devi executed sale deed with regard to lands of his uncle.

The learned counsel for the petitioner submits that there is no allegation against the petitioner. The petitioner has



been made accused in the case only because Indu Devi is living with the petitioner. The informant has also filed a suit. Similarly situated accused has been granted anticipatory bail.

It appears that informant did not make any sort of allegation against the petitioner and the petitioner is made accused only because he happens to be second husband of accused No.1, Indu Devi.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in Mahua P.S. Case No. 457 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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