

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25343 of 2017

Arising Out of PS.Case No. -25 Year- 2016 Thana -MAHILA P.S. District- PURNIA

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1. Md. Jahangir, son of Md. Barik, resident of Village- Begampur, P.S.- K. Nagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 06-07-2017 Heard counsel for the petitioner. No one appears on behalf of the State.

Apprehending his arrest in connection with Mahila P.S. Case No. 25 of 2016, registered under Section 498A and 506/34 of the IPC the petitioner has approached this Court for grant of pre arrest bail.

It is submitted that prior to this in the year 2008, the informant had lodged a case against the petitioner under Section 376 of the IPC (Annexure-3) which gave rise to Sessions Trial no. 388 of 2011 in which she had deposed in 2013 that she was yet not married to the petitioner. Mr. Singh relied in this regard on para 5 of his cross-examination in the said trial. Referring to Annexure-4, it is submitted that earlier in 2014 she filed a case



under Sections 354 and 452 of the IPC in which also she has alleged not to have married with the petitioner. According to the prosecution, her marriage with the petitioner solemnized in 2010.

In the facts and circumstances of the case, in the event of his arrest or surrender before the Court below within a period of four weeks from today, the petitioner, named above, 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 the learned S.D.J.M. Purnea in connection with Mahila P.S. case No. 25 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 with the further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.

(Kishore Kumar Mandal, J)

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