

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31551 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -MAHILA P.S. District- BHAGALPUR

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1. Manish Kumar, S/o Ravindra Yadav, resident of Mohalla- Akabar Nagar, P.S. Akabar Nagar, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rawina Kumari, D/o Krishnanand Sharma, resident of Mohalla- Akabar Nagar, P.S. Akabar Nagar, District- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Manoj Kumar, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP
Mr. Ratnakar Ambastha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 17-07-2017

Heard learned counsel for the Petitioner and the

State as well as counsel for the Opposite Party No.2.

The Petitioner apprehends his arrest in Mahila P.S. Case No.15 of 2017 instituted for the offence under Section(s) 376, 323, 504, 506/34 Indian Penal Code and Section 6 of the POCSO Act.

It is alleged in the written report that the petitioner established physical relationship with the informant continuously for four years and kept her at different places as mentioned in the First Information Report.

It has been submitted that now the matter has been settled between the parties and the victim has already married this petitioner on 13.04.2017. In support of such statement,



Supplementary Affidavit has been filed in which compromise petition has been annexed as Annxure-3.

Counsel for the Opposite Party No.2 has appeared and supported the statement of the petitioner that compromise has taken place and both petitioner as well as Opposite Party No.2 has already performed marriage.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Mahila P.S. Case No.15 of 2017, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge, Bhagalpur, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to



move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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