

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2324 of 2017

Arising Out of PS.Case No. -21 Year- 2015 Thana -MAHILA PS District- GAYA

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Rajesh Kumar, son of Indradeo Prasad, Resident of Village - Patti, Police Station - Barachatti, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nilam Kumari, D/O Ajay Singh.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Anil Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

12 01-11-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Mahila P.S. Case No. 21 of 2015, registered under Sections 498A, 495, 341 and 323/34 of the Indian Penal Code.

The accusation is that, in course of studying of the informant, she fell in love with the petitioner and left her parental house and performed the marriage with the petitioner in the Temple on 02.02.2014. Thereafter, she was kept at Gaya in rented house for two months and out of wedlock one baby was born. In the meantime, she called her Sautan and inquired about all matters, who suggested her to go to Delhi with the petitioner.



Thereafter, informant went to Delhi with the petitioner and stayed 15 days at the house of the brother of the petitioner, where she was assaulted then she along her husband-petitioner returned to Bihar and stayed in the house of Sanju Kumari, sister of the petitioner. Later on, she was threatened of dire consequences by Pappu Kumar and Upendra Kumar, family members of the petitioner, to detain with the petitioner. Thereafter, she came at her 'Maika', but her husband-petitioner did not take any heed to whereabouts the informant. As such, the petitioner cheated her and performed the marriage in spite of that petitioner has already married.

Learned counsel for the petitioner submits that, in fact, petitioner and the informant were doing the job in the same company and informant wanted to perform the marriage with the petitioner, but on refusal, she lodged the present case with false allegation.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, in connection with Mahila P.S. Case No. 21 of 2015, subject to the



condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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