

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58935 of 2017

Arising Out of PS.Case No. -198 Year- 2016 Thana -KURSAKANTA District- ARRARIA

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1. Budhan Mandal son of Jagdish Mandal Resident of Village - Jamua,
Police Station - Kursakanta, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 06.10.2017 in
connection with a case registered for the offences punishable
under Sections 341/323/379/376/504/34 of the Indian Penal Code.

It appears from the allegations of the prosecutrix that
she was having some sexual relations with the present petitioner
after the death of her husband and that on the pretext of marriage,
he had been regularly cohabiting with her. However, when the
petitioner declined to the marriage, the informant has filed the
present case.

Learned counsel for the petitioner submits that the
entire story is false and fabricated and has been occasioned on



account of the fact that the petitioner is a Kirana Shop owner and there had been some dispute between the prosecutrix and himself over payment of dues for items having been obtained from his shop. Learned counsel for the petitioner further submits that earlier at the time when this petitioner had moved this Court, he had surrendered and prayed for bail, but the same has been rejected. He next submits that the entire story being false and fabricated, the petitioner may be extended the privilege of regular bail.

Having considered all the facts and circumstances of the case and also that the petitioner has got a clean antecedent, let the petitioner above named, 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 A.C.J.M.-II, Araria in connection with Kursakanta P.S. Case No. 198/2016.

(Anjana Mishra, J)

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