

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46346 of 2015

Arising Out of PS.Case No. -44 Year- 2015 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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Shekhar Kumar @ Sarobar Kumar S/o Laxman Das, Resident of Village-
Tajpur, Kamtaul; P.S. Tajpur, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Komal Kumari D/O Siya Sharan Das, Resident of Village- Ateran
Chowk, Bahadurpur, P.S. Muffasil, District- Samastipur, present
address W/O Shekhar Kumar @ Sarobar Kumar, resident of Village-
Tajpur, Kamtaul, P.S. Tajpur, District- Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Umesha Nand Pandit (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

5 08-03-2017 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

Informant.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Samastipur Muffasil P.S.
Case No. 44 of 2015 for the offences punishable under sections
341, 342, 323, 376 and 504/34 of the I.P.C.

Allegedly, the petitioner committed rape with the
informant and thereafter told her to marry with her. There was
panchayati also in the village but at that time the petitioner and his
family members were not ready to marry with her and then the



case was filed.

Submission is that now the petitioner has performed marriage with the informant and both are living together as husband and wife and as such now the petitioner deserves sympathetic consideration.

The learned counsel for the opposite party no.2 (informant) also submits that the informant is living with the petitioner as his wife happily.

The learned A.P.P. under the changed circumstances does not oppose prayer for pre-arrest bail of the petitioner.

In the facts and circumstances as stated above, now the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. S.D.J.M. Samastipur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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