

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28732 of 2017

Arising out of P.S. Case No. -83 Year- 2016 Thana -MAHILA
PS District- KATIHAR

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Deepak Sah, S/o- Doman Sah R/o Kursela Basti, P.S. Kursela,
Distt- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s: Mr. Kanhaiya Kishore, APP.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

02. 06.07.2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 323, 504, 509, 498A and 376/511 of the Indian Penal Code.

It is contended on behalf of the petitioner that prior to this case another FIR was lodged by the informant being Kursela P.S. Case No. 164 of 2015 explaining her to be wife of one Subhash Sah and having developed the relation-ship with the present petitioner but after becoming pregnant he was not accepting and marrying her. In that case, he was granted bail by a Co-ordinate Bench of this Court vide Annexure-3. In this case, surprisingly, she herself has declared to be wife of the petitioner



but she has not stated anywhere that she has already divorced her earlier husband or she was not married to Subhash Sah. That apart, there is no statement with regard to the demand of dowry.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Deepak Sah be released on bail in the event of his arrest/surrender before the court below within a period of six weeks from today in connection with Mahila P.S. Case No. 83/2016, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties to the satisfaction of Sub-divisional Judicial Magistrate, Katihar subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J.)

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