

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44920 of 2017

Arising Out of PS. Case No.-60 Year-2017 Thana- PUSA District- Samastipur

-
1. Kundan Kumar Sahni, Son of Mahesh Sahni, aged about 23 years, Resident of Village- Hasha, P.S.- Warish Nagar, District- Samastipur.
 2. Rajesh Sahni, Son of Ram Pukar Sahni, Resident of Village- Purnahi, P.S.- Waris Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Ishwar Prasad
For the Opposite Party/s : Mr. SRI YOGENDRA KUMAR

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 20-12-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Pusa P.S. Case No. 60 of 2017, disclosing offences under Sections 341,323,376,504/34 of the Indian Penal Code.

The complaint petition filed by the informant is the basis for registration of the First Information Report under Section 156(3) of the Code of Criminal Procedure, 1973. It is alleged that the petitioner No. 1 had proposed to marry the informant and with that pretext, he had taken the informant to a temple and married her. Allegedly, the petitioner No.1 established physical relationship with the informant and thereafter, he left her. The petitioner No.2 had accompanied the informant to the temple, as alleged.

It is in that background, it is the case of the petitioners that no



offence under Section 376 of the Indian Penal Code is made out. It has been contended that the nature of relationship, which has been alleged can at the maximum be said to be consensual in nature.

Considering the said submission and the nature of accusation, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, 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 the learned A.C.J.M-VI, Samastipur in Pusa P.S. Case No. 60 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

arun/-

U			
---	--	--	--

