

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28910 of 2017**

Arising Out of PS.Case No. -35 Year- 2017 Thana -PIPRAKOTHI District-  
EASTCHAMPARAN(MOTIHARI)

=====

Sunil Kumar, Son of Late Harihar Prasad, Resident of village- Jivdhara,  
P.S.- Pipra, Kothi, District- East Champaran. .... Petitioner.

Versus

1. The State of Bihar.
  2. Sangita Kumari, D/o Shree Rambabu Prasad, Resident of Village-  
Tikuliya, P.S.- Muffasil, District- East Champaran.  
..... Opposite Parties.
- =====

**Appearance :**

For the Petitioner : Mr. Vinod Gautam, Adv.  
For the Opposite Party : Mr. Panchanand Pandit, A.P.P  
For the Opposite Party No.2.: Mr. Sanjeev Kumar, Adv.  
Mr. Rajeev Shekhar, Adv.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**  
ORAL ORDER

02    03-07-2017                      Heard learned counsel for the petitioner, learned  
counsel for the opposite party no.2 and learned A.P.P. for the  
State.

Petitioner seeks regular bail in connection with Pipra  
Kothi P.S. Case No.35 of 2017 registered for the alleged offences  
under Sections 376, 496 & 120-B of the Indian Penal Code.

As per the prosecution case, the marriage of the  
petitioner was performed with the informant but, as the petitioner  
was impotent, his family members mounted pressure upon the  
informant for making sexual cohabitation with the younger brother  
of the petitioner, namely, Anil Kumar. Later on, informant was  
blessed with two children with the said relation and now they are



intending to perform second marriage of Anil Kumar.

It has been submitted by learned counsel for the petitioner that the petitioner has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner further submitted that the marriage of the petitioner with the informant was solemnized on 18.06.2010 but F.I.R. was lodged almost after about 7 years without giving any plausible and convincing reason. He has been languishing in jail custody since 03.04.2017.

In the facts and circumstances of the case, the petitioner above named is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., East Champaran at Motihari in connection with Pipra Kothi P.S. Case No.35 of 2017.

**(Prakash Chandra Jaiswal, J.)**

Trivedi/-

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