

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23221 of 2018

Arising Out of PS. Case No.-385 Year-2017 Thana- KAHALGAON District- Bhagalpur

Guddu Kumar @ Bhola Das Son of Basudeo Resident of Village + P.O. -
Lalapur Bhader, P.S. - Kahalgaon, District Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyam Kishor Das

For the Opposite Party/s : Mr. Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 376, 498A, 506 of the Indian Penal Code and 3/8 of the
POCSO Act and ¾ of Dowry Prohibition Act.

Allegation against the petitioner is that he married
with the informant and made her hiding from his parents and
made physical relation with her, who is minor and demanded
dowry and on non-fulfilment of dowry he refused to keep her.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 10.10.2017 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. The petitioner has
falsely been implicated in the present case. Prior to the marriage



the petitioner and the victim were in living relationship. At that point of time the victim never objected to the physical relationship between herself and the petitioner. Later on petitioner and the victim got married. So far under Section 376 I.P.C. is concerned, same is superficial in nature.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 1st Additional Sessions Judge, Bhagalpur in connection with Kahalgaon P.S. cas No.385 of 2017 (G.R. No.3300 of 2017).

(Sudhir Singh, J)

Narendra/-

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