

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68065 of 2018

Arising Out of PS. Case No.-119 Year-2018 Thana- PHULWARIYA District- Gopalganj

Pardeep Singh @ Pradeep Kumar Son of Mahatam Singh, Resident of
Village- Dhanachak, P.S. Phulwariya, District Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh
For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 29-11-2018 The petitioner seeks regular bail in connection with

Phulwariya P.S. Case No. 119 of 2018, registered for offences

punishable under Sections 438, 376, 120(B), 504 and 506 of the

Indian Penal Code.

Allegation against the petitioner is of commission of

physical relationship with the informant on the plea of marriage

and later on he refused to marry.

Submission of learned counsel for the petitioner is

that the statement of girl recorded under Section 164 Cr.P.C., in

which she has stated that with her sweet will she has married

with the petitioner and after the instigation of her mother, she

lodged the present case against the petitioner and he is in

judicial custody since 17.08.2018 and the petitioner is still ready

to keep her.



Heard learned A.P.P. as well as learned counsel for the informant and after some arguments, they submitted that the victim is also ready to live with the petitioner.

Having heard both sides, in view of the above facts, this application is disposed of with a direction that the petitioner to file an application before the learned court below that he is ready to keep the victim and the learned court below shall issue notice to the victim and find out as to whether she is ready to live with the petitioner or not, if she is ready, the learned court below shall release the petitioner on bail to its own satisfaction.

It is also made clear that if the informant is not ready to live with the petitioner, then also the learned court below shall release the petitioner on bail.

(Vinod Kumar Sinha, J)

Sunilkumar/
Amjad/-

U		T	
---	--	---	--

