

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69870 of 2018

Arising Out of PS. Case No.-205 Year-2018 Thana- ITARHI District- Buxar

Vijay Rai S/o Jambhu Rai Resident of Village-Khaiwali,P.S.Murar,Distt.-
Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Sessions Trial No. 231 of 2018 registered for the offence punishable under Sections 366, 420, 494 of the Indian Penal Code.

Informant has alleged in the FIR that petitioner got married with her in the court and kept her as wife in a rented house and from said wedlock a female child was born who died after five months, in the meantime, she came to know that petitioner has already married and he does not want to keep her.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that from perusal of the FIR it appears that neither any force is used nor she was kidnapped by



petitioner for marriage, as such no offence under Section 366 of IPC is made out. After perusal of affidavit, it appears that informant got married with one Ravi Kumar. Petitioner has no criminal antecedent and he is in custody since 20.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned I/c Sessions Judge, Buxar, in connection with Sessions Trial No. 231 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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