

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25234 of 2018

Arising Out of PS.Case No. -41 Year- 2016 Thana -LAHERI District- NALANDA
(BIHARSHARIFF)

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1. Satyendra Kumar, Son of Late Bachchu Mahto, Resident of Village-Sandha, P.S.- Halsi, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
Mrs. Swati Sinha
Mr. Ishteyaque Ahmad, Advocates.

For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
CAV ORDER

7 24-09-2018 Heard learned counsel for the petitioner as well as
learned APP.

2. In spite of notice, Opposite Party No.2,
complainant/informant failed to appear.

3. Petitioner along with informant/complainant
became known to each other through mobile and their further
indulgence resulted in physical relationship under the garb of
promise of marriage which they continued. It has also been
disclosed that parents of informant had paid Rs. 2,85,000/-(Two
Lacs eighty five thousand) in lieu of gift. Subsequently, the family
members including petitioner declined to marry and for that, a
Panchayati was convened whereunder they undertook that
marriage will be solemnized on 14.10.2015 but again they failed



to honour their promise whereupon the instant prosecution has been launched.

4. Both the parties being major and their indulgence in physical relationship without any hitch and hindrance speaks otherwise, more particularly, when there happens to be no material to support deceptive conduct of the petitioner, whereupon, petitioner, Satyendra Kumar, in the event of arrest/surrender within four weeks, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Biharsharif at Nalanda in connection with Laheri PS Case No. 41/2016 in terms of condition as laid down under Section 438(2) of the CrPC.

(Aditya Kumar Trivedi, J)

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