

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55979 of 2018

Arising Out of PS.Case No. -52 Year- 2017 Thana -MAHILA P.S. District- BANKA

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1. MANOJ KUMAR MONI @ MANOJ KUMAR @ MONI S/o Sitaram
Mandal, R/o Vill.- Gadhotikar (Kakna), P.S.- Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Sharma

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-10-2018 Heard the parties.

The petitioner seeks regular bail in connection with Banka Mahila P.S.Case no.52 of 2017 registered for offences punishable under Sections 376, 341, 323, 504, 506, 379/34 of the Indian Penal Code.

Allegation against the petitioner is of having physical relation with the informant who is a married lady on the pretext of marriage and also took away ornaments of worth Rs.2,000/- .

Submission of the learned counsel for the petitioner is that the FIR itself discloses that she was a consenting party and she is a married lady and when he refused to marry with her the present case has been lodged. The petitioner is in custody since 16.5.2018.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of ACJM-IV, Banka in connection with Banka Mahila P.S.case No.52 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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