

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40952 of 2018

Arising Out of PS.Case No. -104 Year- 2018 Thana -BAHERA District- DARBHANGA

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Bulu Kumar Jha @ Bullu Kumar Jha @ Guru Prakash S/o Vinay Kumar
Jha, R/o Vill.- Amaichi, P.S.- Bahera, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

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.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhusudan Kumar

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Bahera P.S.
Case No. 104 of 2018, G.R. No. 117 of 2018 for offences
punishable under Sections 376, 504, 341 and 323 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that she being 18 years of age had love affair with Manish
Kumar Jha @ Chintu who established physical relations with
her and on the insistence of the informant for marriage, he took



her to Delhi but left her midway. Allegation upon the petitioner is that he brought his car in which the informant and co-accused went to the station.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and co-accused was just his acquaintance. He further submits that all the Sections under which the petitioner has been framed is bailable except Section 376 I.P.C. and no case under Section 376 of the I.P.C. is made out against him as there is no allegation of any physical relations with the informant by the petitioner. The petitioner is languishing in judicial custody since 10.06.2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Bahera P.S. Case No. 104 of 2018, G.R. No. 117 of 2018, subject to the condition that one of the bailors would be a close relative of the petitioner



having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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