

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12550 of 2018

Arising Out of .Case No. -94 Year- 2015 -PATNA COMPLAINT CASE District- PATNA

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1. Raju Kumar
2. Shyam Nandan Mahto @ Shyam Nandan Mehto

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 28-02-2018 Heard both sides.

The petitioners apprehend their arrest in Complaint case No. 94 of 2015 under Section 417, 420 of the Indian Penal Code.

The complainant alleged that she was married to petitioner No.1, Raju Kumar, but Raju Kumar is impotent and this fact was concealed from the father of complainant before marriage. It is alleged that after marriage the petitioner No.1 did not behave properly and he was incapable of having sexual relation with the complainant.

The learned counsel for the petitioners submits that petitioner No.1 is husband of complainant and petitioner No.2 is father-in-law of the complainant. The complainant is a school teacher and she does not want to live with petitioner No.1 that is



why she filed this criminal case with a view to put undue pressure on the petitioners.

It appears that the complainant has made allegation that since her husband is impotent and not capable of having sexual relation he behaved strangely with her.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to 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-VI, Patna City in connection with Complaint case No. 94 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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