

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11022 of 2019

Arising Out of PS. Case No.-609 Year-2017 Thana- COMPLAINT CASE District- Jamui *

Rahul Kumar, aged about 25 years, Gender-Male, Son of Dashrath Sah
Resident of Village-Turkaignee, P.O. and P.S.- Birpur Dist-Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Babita Devi, aged about 23 years, Female, Wife of Sri Rahul Kumar,
Daughter of Sri Bharat Paswan, Resident of Village-Nawadiha, P.S.-Khaira,
Dist. Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murli Dhar

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 01-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest
in connection with Complaint Case No. 609C of 2017 registered
for offences under sections 398 A of the Indian Penal Code and
Section 3/4 of the D.P. Act.

In the complaint petition, it has been stated that in
the matrimonial house of the elder sister, both the parties
developed love affairs between them, ultimately, the petitioner
established physical relationship with the Complainant whereupon
she became pregnant, later on, she entered into the marriage with
the present petitioner.

Learned counsel for the petitioner submits that the
marriage was never solemnized, the petitioner had given legal



notice to the priest of the temple who is claimed to be present there performing the marriage of the petitioner with the opposite party no.2 but, he denied of any such event of marriage has taken place in the temple.

Earlier this Court had issued notice to the opposite party no.2 but, has not appeared before this Court.

Looking to the entire facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released 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 Sub-Divisional Judicial Magistrate, Jamui in connection with Complaint Case No. 609C of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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