

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78363 of 2018

Arising Out of PS. Case No.-250 Year-2018 Thana- DHAMDAHA District- Purnia

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Santosh Kr. Singh @ Santosh Kumar Singh, Son of Sri Suresh Singh, of
Village Gangaili, P.S.- K. Nagar, (Maranga O.P.), District- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kamal Kishore Jha

For the Opposite Party/s : Mr. Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 24-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Dhamdaha P.S. Case No. 250 of
2018 registered for the offence punishable under Section 376 of
the Indian Penal Code.

Allegation against the petitioner is that he established
physical relation with the victim girl, Soni Kumari on the
promise of marriage. However, even after Panchayti, the
petitioner refused to marry with the victim girl.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case to put
pressure on him to marry with the victim girl as her husband
has deserted her and has married with another lady. In her
statement recorded under Section 164 Cr.P.C., the victim girl
has stated that she was in love with the petitioner who is



unmarried and established physical relation which was also known to her family members. Petitioner has no criminal antecedent and he is in custody since 07.09.2018.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Purnea in connection with Dhamdaha P.S. Case No. 250 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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