

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25120 of 2019

Arising Out of PS. Case No.-74 Year-2018 Thana- BALTHAR District- West Champaran

ABULAISH GADDI, Son of Hadish Gaddi, Resident of Village- Line Parsa,
P.S- Balthar, District-West Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sunita Devi, daughter of Nathuni Sah, wife of Raju Sah, resident of village-
Bagaha, Bankata, P.S.-Bagaha Town, District-West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Wasi Ahmad Khan, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 22-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Balthar P.S. Case No.74 of 2018** instituted for the offence under Section(s) 363, 366, 376, 406/34 Indian Penal Code.

Counsel for the petitioner submits that informant is already married to Raju Sah. She has three children out of the said wedlock. She has alleged in the written report that this petitioner established physical relationship with her on the pretext of marriage and kept her as wife. One son was also born, who is aged about four years, whose name is Deepak. Finally, the petitioner did not perform marriage and misappropriated her



money amounting to one lac. The informant was finally ousted from the house on 25.05.2018.

Counsel for the petitioner submits that informant has filed the instant case at the instance of her husband because there was money dispute between the parties. It has further been submitted that Deepak Kumar was born to the informant from her husband, Raju Sah, which will be apparent from his Aadhr Card, which has been enclosed as Annexure-2.

Petitioner is in custody since 08.01.2019.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Bettiah, West Champaran**, in connection with **Balthar P.S. Case No.74 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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