

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29376 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- MAHILA PS District- Jamui

NIKHIL RANJAN Son of Krishna Prasad Mandal @ Krishnandan Prasad
Resident of Village - Abhaypur, P.S.- and Distt - Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-05-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
03.03.2019 in connection with Jamui Mahila P.S. Case No. 12
of 2019 for offences punishable under Sections 341, 376/34 of
the Indian Penal Code.

The prosecution case as lodged by the informant is
that she went to Delhi with the petitioner and stayed for one
year as husband and wife. Thereafter, when she was brought to
the village, the petitioner was a married man and he along with
his wife assaulted and threw the informant victim lady out of the
house.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and



has been falsely implicated in the aforesaid case. He submits that the informant is a major and she had consented relationship with the petitioner therefore Section 376 of the I.P.C. is not applicable in the present case. It is further submitted that the petitioner has been sufficiently punished and is languishing in judicial custody since more than two months.

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

Considering the nature of allegations and the materials on record, let the 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 the learned Sub Divisional Judicial Magistrate, Jamui in connection with Jamui Mahila P.S. Case No. 12 of 2019, subject to the conditions:-

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) The petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.



(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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