

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32589 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- SIKTA District- West Champaran

NAND KISHORE SINGH @ NAWAL KISHORE SINGH Son of Late Shiv Dayal Singh Resident of Village - Laukariya, P.S.- Palanwa, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. R.B. Roy 'Raman', APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-05-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Sikta P.S. Case No. 06 of 2019 for the offence punishable under Sections 496, 498, 376, 504 and 506 of the Indian Penal Code.

The informant is a married woman. She has alleged in the First Information Report that under some inducement, the informant and the accused started living as husband and wife and they had begotten a child also.

Learned counsel appearing on behalf of the petitioner has submitted that no offence under Section 376 of the Indian Penal Code can be made out, even if the allegation made in the First Information Report is considered to be correct. He has submitted that as per the case of the prosecution itself, the informant was already married and has children from her



husband.

Considering the nature of accusation, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 the learned S.D.J.M., Bettiah, West Champaran, in Sikta P.S. Case No. 06 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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