

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39575 of 2019

Arising Out of PS. Case No.-216 Year-2018 Thana- GAIGHAT District- Muzaffarpur

MANJAY RAI Son of Late Jiwachh Rai Resident of Village - and P.O. -
Damu, P.S.- Basopatti, Dist.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-08-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Gaighat P. S. Case No.
216 of 2018, Sessions Trial no. 633 of 2018 instituted for the
offence under Section 376 of the Indian Penal Code.

Learned counsel for petitioner submits that with
respect to same occurrence as mentioned in the instant written
report filed by the victim/informant herself, earlier the father of
victim has lodged a case under Section 366 IPC against
petitioner and other family members vide Basopatti P.S. case no.
143 of 2018. In the aforesaid case, victim girl has given
statement U/s 164 Cr.P.C. wherein she has stated that she has
performed marriage with this petitioner. Police after
investigation submitted final form in the case showing mistake



of fact. Later on, the instant case has been filed by the victim herself stating that this petitioner took her to Delhi on the pretext to perform marriage and did not perform marriage. He also established physical relationship with her. The informant learnt that petitioner is already married man.

From the written report it appears that both the petitioner and informant are knowing each other.

Petitioner is in custody since 5.7.2018.

Considering the aforesaid, let the petitioner, above named, 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 1st Additional Sessions Judge, Muzaffarpur in connection with Gaighat P. S. Case No. 216 of 2018, Sessions Trial no. 633 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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