

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38898 of 2019

Arising Out of PS. Case No.-7 Year-2019 Thana- MAHILA P.S. District- Banka

Rahul Mandal Son of Arbind Mandal Resident of Village - Indrasen, P.S.-
Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 376, 120(B), 506/34 of the Indian Penal Code.

Allegation against the petitioner is of establishing physical
relationship with the informant on the false pretext of marriage
and later on, the petitioner refused to marry with the informant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 27-02-2019. Charge sheet has
already been submitted. It is alleged that the petitioner
established physical relationship with the informant on the false
pretext of marriage. Subsequently, he refused to marry with the



victim. For the said reason, the petitioner along with his parents was made accused in the present case. The allegation made in the FIR is denied by the petitioner. The matter has been compromised between the parties. The said compromise petition is Annexure-2 to the present application wherein the victim has categorically stated that she does not want to pursue the matter and due to mistake of fact, the present case has been instituted. The said petition was filed in the court below.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, 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 Chief Judicial Magistrate, Banka in connection with Banka Mahila P.S. Case No. 07 of 2019.

(Sudhir Singh, J)

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