

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39790 of 2019

Arising Out of PS. Case No.-194 Year-2015 Thana- SULTANGANJ District- Bhagalpur

Ashok Mandal, Son of Kailash Mandal, Resident of Village - Maheshi, P.S.-
Sultanganj, Dist.- Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar
2. Manisha Devi, W/o Dilip Sah, Resident of Village-Meheshi, P.S.-
Sultanganj, District-Bhagalpur.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

5 20-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with
Sultanjganj P.S. Case No.194 of 2015 registered for the offence
punishable under Sections 494, 354, 366 and 376 read with 34
of the Indian Penal Code.

It is contended by the learned counsel for the
petitioner that the first information report has been instituted by
the informant maliciously. In her statement made under Section
164 of the Code of Criminal Procedure, she has clearly stated
that she was married with a person in village-Belhar
Sangrampur and, thereafter, she started living together with the
petitioner out of her own sweet will. He contended that the



allegations made in the first information report would not attract the offences punishable under Sections 354, 366 and 376 of the Indian Penal Code.

Learned counsel for the State has opposed the application for grant of bail to the petitioner. He submitted that after establishing the physical relationship with the informant, the petitioner got the informant married with one Mantu Singh. He contended that the informant has alleged that she became pregnant out of the physical relationship with the petitioner.

Be that as it may, considering the totality of the facts and circumstances of the case, the petitioner, who is in custody since 11.02.2019, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-1st, Bhagalpur in connection with Sultanganj P.S. Case No.194 of 2015 subject to the following conditions:-

- (a) that the petitioner shall attend court in accordance with the conditions of the bond executed, and
- (b) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts



of the case so as to dissuade him from disclosing
such facts to the Court or to any police officer or
tamper with the evidence.

(Ashwani Kumar Singh, J.)

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