

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54428 of 2019

Arising Out of PS. Case No.-87 Year-2018 Thana- BANMANKHI District- Purnia

MUKESH KUMAR Son of Ramanand Mandal, Resident of Village -
Dharhara Ansari Tola, P.s.- Banmankhi, Dist.- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 02-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Banmankhi P.S. Case No. 87 of 2018 for the offence punishable under Sections 376, 342, 379 and 120B of the Indian Penal Code.

It is alleged in the First Information Report that under a false pretext of marrying the informant, the petitioner established physical relationship with her and refused to marry her.

Learned counsel appearing on behalf of the petitioner has submitted that no offence under Section 376 of the Indian Penal Code can be said to be made out even if the allegation made in the First Information Report is treated to be correct. He has also submitted that the parties have settled their disputes. My attention has been drawn to a copy of the petition



filed before learned Additional Chief Judicial Magistrate, Purnea, which has been brought on record by way of Annexure-2 to this application.

Considering the above submission, 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 C.J.M., Purnea, in Banmankhi P.S. Case No. 87 of 2018, 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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