

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78337 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- MAHILA P.S. District- Purnia

GHANSHYAM YADAV son of Late Ram Yadav resident Kurwaghat
Gayanganj ward no. 7 P.S. Sarsi District Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr.Md. Arif (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Mahila P.S. Case No. 23 of 2018 registered for the offences punishable under Sections 376, 420, 34 of the Indian Penal Code.

Informant has alleged that on promise of marriage petitioner established physical relation with her and when she became pregnant he refused to marry.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. It has been further submitted that after institution of the case marriage has been solemnized between petitioner and informant and family of both parties



have also agreed and one child has also been born from said wedlock.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Purnea, in connection with Mahila P.S. Case No. 23 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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