

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57679 of 2019

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

Manish Kumar, S/o Manoj Kumar, R/o village- Harpur Gopal, P.S.- Bidupur,
District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mobina Khatoon, w/o Late Israil, R/o Village Gogari Jamalpur, P. S. Jamalpur, District Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-11-2019 This is an application for grant of anticipatory bail in connection with Mahila P. S. Case No. 07 of 2019, disclosing offences under Sections 341, 323, 504, 498A, 34 of IPC.

As per F.I.R. there is allegation that petitioner has love affair with the daughter of the informant and thereafter, they solemnized marriage, but after sometime, petitioner is not ready to keep her and driven her out from the house.

Submission of the learned counsel for the petitioner is that he has never solemnized marriage and even according to the F.I.R. the age of the petitioner at that time was about 17 years and as such, the marriage is void. However, he has admitted that



he has not file any petition before the court below for declaring the marriage null and void.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, who has opposed the prayer for anticipatory bail on the ground that after the marriage, he is not ready to keep her, as he belongs to some other religion.

In this case, earlier case diary was called for. The marriage is itself in dispute, as per the counsel for the petitioner and the learned counsel for the opposite party no.2 could not bring any fact or document on record to show that there was any marriage between the petitioner and opposite party no.2.

Having heard both sides, without going into the merits of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahila P. S. Case No. 07 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he has to co-operate in the investigation and appear before the police as and when required as well as the fact that once the charge sheet has



been submitted, he has to co-operate in disposal of the case also.

Sunil Shukla/-

(Vinod Kumar Sinha, J)

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