

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.62308 of 2019**

Arising Out of PS. Case No.-145 Year-2019 Thana- CHIRAIYA District- East Champaran

SANJAY KUMAR, aged about 30 years, Male, Son of Ruplal Rai, Resident of Village - Dipahi, P.S.- Chiraiya, District- East Champaran

... Petitioner

Versus

The State of Bihar

... Opposite Party

**Appearance :**

For the Petitioner : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party : Mr. Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

**ORAL ORDER**

2      15-10-2019                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Chiraiya P.S. Case No. 145 of 2019 for the offences alleged under Sections 420, 376 and 34 of the Indian Penal Code.

The accusation is that due to death of the son of the informant and moving her brother outside for livelihood, informant was alone at her house. During that period, petitioner developed physical relation on assurance to perform marriage. In the meantime, she conceived pregnancy, but, petitioner did not agree to perform the marriage with her. On 01.04.2019, she asked the petitioner to perform marriage, then, the petitioner made attempt to kill her administering poison, then, she disclosed the incident in her family, then, family members of petitioner started to put pressure on her to abort her pregnancy.

The learned counsel for the petitioner submits that the petitioner and the informant are the co-villagers and due to dispute the informant lodged the present case with false



allegation only to harass the petitioner and his family members, but, later on, in Panchayati the dispute between the petitioner and informant family was settled and the informant filed the compromise petition in the Court of the Chief Judicial Magistrate, Sikrahana, Dhaka, East Champaran, on 18.04.2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Chiraiya P.S. Case No. 145 of 2019 shall 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 Additional Chief Judicial Magistrate, Sikrahana, Dhaka, East Champaran, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

**(Rajendra Kumar Mishra, J)**

Shamshad/-

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