

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21010 of 2020

Arising Out of PS. Case No.-44 Year-2019 Thana- MAHILA P.S. District- Patna

Mantosh Kumar @ Dolly Son of Sundar Paswan, Resident of Village -
Baikatpur, Rohan Tola, P.S.- Khusuroopur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 23-07-2020 Heard Mr. Chandra Shekhar Anand, counsel for the
petitioner and Mr. Nawal Kishore Prasad through Video
Conferencing.

In this case, the petitioner is seeking anticipatory
bail in connection with Patna Mahila P.S. Case No. 44 of 2019
registered for offence punishable under sections 376 and 420 of
the Indian Penal Code.

It has been alleged in the FIR that the petitioner on
the pretext of entering into marriage exploited the victim
sexually and later on he has retracted from his commitment.

Learned counsel for the petitioner submits that both
have entered into marriage which is apparent from Annexure-2
series.

In such view of the matter, the petitioner is granted



provisional bail and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged **on provisional bail** on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Patna in connection with Patna Mahila P.S. Case No. 44 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. The court below is directed to verify the correctness of the statement of the petitioner and if it is found that they have entered into marriage, the provisional bail of the petitioner would be confirmed, but if it is found to be otherwise then the provisional bail granted to the petitioner will be treated to have been withdrawn.

(Shivaji Pandey, J)

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