

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39191 of 2021

Arising Out of PS. Case No.-79 Year-2021 Thana- JHANJHARPUR District- Madhubani

Shiva Das @ Shiv Kumar Tanti S/O Sushil Das @ Sushil Tanti R/o village-
Bistaul, P.S.- Jhanjharpur (Araria Sangram O.P.), District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Upendra Das S/O Late Ramphal Das R/o village- Parsa, P.S.- Jhanjharpur
(Araria Sangram O.P.), District- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Narayan Mahto,Advocate

For the Opposite Party/s : Mr.Sumeet Kumar,Advocate

Mr.Kumar Virendra Narayan,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 21-10-2021 Heard learned counsel for the parties.

The petitioner, who is in custody since 13.04.2021, seeks bail in Jhanjharpur (A.S.O.P.) P.S. Case No. 79 of 2021, registered for the offence under Sections 376 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that after the occurrence, this petitioner has solemnized marriage with the victim girl and both of them want to live together. This fact has not been disputed by Sri Sumeet Kumar, learned counsel for the informant.

In view of aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner



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 learned A.C.J.M.- Ist, Jhanjharpur, District Madhubani in connection with Jhanjharpur (A.S.O.P.) P.S. Case No. 79 of 2021, on the following conditions:

“(1) One of the bailor would be daughter of the informant (wife of the petitioner).

(2) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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