

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.424 of 2021**

Arising Out of PS. Case No.-256 Year-2020 Thana- CHOUTARWA District- West
Champaran

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SURAJ RAM S/o Pramod Ram Resident of Village- Sanichari, Naya Basti,
P.S.- Sanichari, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 01-03-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor his
undertaking given in the instant case for depositing the requisite
court fee and to remove the defects as pointed out by office
when called upon.

The petitioner seeks bail in Choutarwa PS Case No.256 of
2020 instituted for the offence under Sections 376 and 420 of
the Indian Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act.

The victim of alleged forced physical relation by the
petitioner has filed a petition in the learned court below,
wherein, she has expressed that she will not pursue the case.

It is submitted by the petitioner's counsel that alleged
victim and the petitioner have solemnized marriage and the
petition filed by the alleged victim (Annexure-2) belies the
prosecution case.

The learned APP for the State has opposed the prayer for



bail.

Considering the rival submissions, let the petitioner, above named, 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 the learned Additional Chief Judicial Magistrate-1st Bagaha, West Champaran, in connection with Choutarwa PS Case No 256 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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