

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9181 of 2022

Arising Out of PS. Case No.-33 Year-2021 Thana- MAHILA THANA District- Begusarai

MITHILESH KUMAR Son of Praveen Poddar @ Parbindra Poddar R/o
Village- Taraiya, P.S.- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-03-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the Office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 326, 498, 504, 379/34 of the
Indian Penal Code.

Prosecution allegation, in short, is that the petitioner
forcefully established relation with informant, made video of it
and then forcefully married her.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the



petitioner. The petitioner has been made accused due to mistake of fact. From the F.I.R. itself, it appears that the victim had been married with the petitioner. The offence is triable by the Magistrate. So far Section 498 IPC is concerned, the same is bailable. In respect of assault, there is general and omnibus allegation has been made.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Begusarai in connection with Mahila P.S. Case No. 33 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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