

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9988 of 2022

Arising Out of PS. Case No.-73 Year-2021 Thana- MAHILA PS District- East Champaran

LAKHAN KUMAR Son of Shiv Sahni Resident of Village - Fursatpur,
Bairiya, P.S. - Mufassil, Motihari, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-08-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Mahila
P.S. Case No. 73 of 2021 registered for the offence under
Sections 493, 376, 341, 323 of the Indian Penal Code.

The petitioner is said to have established physical
relation with the informant on the false pretext of performing
marriage with her.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in this case. He
further submits that from the FIR, the admitted fact is that the
petitioner and the victim girl was in a relationship since 2017.
He further submits in fact the informant is a married woman and
she is major and when the petitioner refused the proposal of



marriage she has lodged the present case against the petitioner.
The petitioner is rotting in judicial custody since 26.11.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner is having one more case other than the present one.

Considering the fact and circumstances of the case, 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 Court below where the case is pending in connection with learned S.D.J.M., Sadar Motihari, East Champaran arising out of Mahila P.S. Case No. 73 of 2021 with the following conditions:-

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

2. If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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