

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22373 of 2022

Arising Out of PS. Case No.-183 Year-2021 Thana- BIRPUR District- Supaul

Shah Alam S/o Mojammil Haqne Resident of Kochgome, P.S.- Birpur,
District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 31-08-2022 Let the defects, as pointed out by the Office, be
removed within a period of two weeks from today.

Heard learned counsel for the petitioner and learned
APP for the state.

Petitioner seeks regular bail in connection with Birpur
P.S. Case No. 183 of 2021 lodged under Sections 376 & 504/34
of the Indian Penal Code.

As per the prosecution, the informant states that in the
name of marriage the accused had developed the physical
relation with the informant but subsequently started denying the
said marriage, in result the present case has been lodged.

Learned counsel for the petitioner submits that
petitioner is innocent and under misunderstanding the present
case has been lodged. He further submits that the petitioner is in

custody since 31.01.2022, charge sheet has already been filed in this case and petitioner having clean antecedent. Learned counsel for the petitioner also submits that vide order dated 26.07.2022 informant has been added as Opposite Party No. 2 in this case to know the present status with regard to the dispute.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the O.P. No.2 has also appeared through Vakalatnama and submits that the O.P. No.2 has no grievance with the petitioner. Now she is residing with the family of petitioner with due respect and care. Learned counsel for O.P. No.2 further submits that she is not interested to pursue this case further.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st Supaul in connection with Birpur P.S. Case No. 183 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall

appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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