

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52127 of 2022

Arising Out of PS. Case No.-209 Year-2022 Thana- RANIGANJ District- Araria

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Suman Sharma, aged about 25 yrs. Male, Son of Radhe Shyam Sharma R/O
Village- Gharbandha Bathnaha, Ward No.-11, P.S.- Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Adv.

For the Opposite Party/s : Ms. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State of Bihar.

The petitioner seeks bail in connection with Raniganj PS
Case No. 209 of 2022 registered for the offence punishable under
Sections, 366, 376, 313, 341 and 323/34. of the Indian Penal Code.

It is alleged that the petitioner has allured the informant
(married lady) into extra marital relationship for the last four (04)
years. Recently, he is refusing to honour his commitment to marry
the informant and she has also been assaulted by the petitioner's
family members.

Learned counsel for the petitioner submits that the parties
are now living together as husband and wife, which is obvious from
the compromise petition filed in the learned trial Court (Annexure-4).
The petitioner has no antecedents and he is in custody since
14-07-2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, petitioner's period of
custody and clean antecedent, this Court, for the purposes of grant of
bail, is inclined to accept the submissions advanced by the



petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 Sub Divisional Judicial Magistrate, Araria, in connection with Raniganj PS Case No. 209 of 2022, subject to verification of the compromise petition (Annexure-4) filed by the informant by the learned trial Court with further 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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