

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53587 of 2022

Arising Out of PS. Case No.-11 Year-2022 Thana- BHAIKAVSHTHAN District- Madhubani

MANTUN KUMAR Son of Bhagalu Choudhary Resident of village - Lohna
(Sukla Rahi), P.O.- Lohna, P.S.- Bhairabasthan, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 18-03-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in

connection with Bhairabasthan P.S. Case No. 11 of 2022,

registered for the offences punishable under Sections 341, 323,

363, 366, 420, 504, 376/34 of the Indian Penal Code.

As per allegation, the petitioner had physical

relation with the informant at the pretext of marriage. He

kidnapped her and brought her to Delhi.

The learned counsel for the petitioner has submitted



that the petitioner and the informant were in love and affair. The alleged victim is admittedly major. She has solemnized marriage with the petitioner and in this respect she has filed an affidavit. The xerox copy whereof has been annexed with the petition. The petitioner is ready to keep her with full dignity and honour.

On the other hand, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, Jhanjharpur in connection with Bhairabasthan P.S. Case No. 11 of 2022, subject to the following conditions:-

(i) If it comes to the notice of the Court that the petitioner is refusing to keep the victim as his wife, the learned court below would be at liberty to cancel his bail bond.

(ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(iii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to



file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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