

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69537 of 2023

Arising Out of PS. Case No.-357 Year-2022 Thana- BANMANKHI District- Purnia

Raju Ansari Son Of Masud @ Masud Ansari Resident Of Village - Makhnaha
Ansari Tola, P.S. - Banmankhi, District - Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Banmankhi P.S. Case No.357 of 2022, lodged on 13.10.2022,
under Sections 376/323/504/34 of the I.P.C.

3. As per the prosecution case, FIR has been lodged
against four named accused persons including the present
petitioner. As per the allegation in the FIR, the petitioner has
developed physical relation with the victim in the name of
marriage but subsequently denied from marriage. In panchaity
also the denial was made.

4. Learned counsel for the petitioner submits that
from the content of the FIR it transpires that the informant and
the petitioner both were major and with their consent both



developed physical relation. Counsel for the petitioner submits that antecedent of the petitioner is clean. He is in custody since 19.05.2023.

5. learned Additional Public Prosecutor for the State and learned counsel for the informant oppose the prayer for bail. Counsel submits that the petitioner has developed physical relation on the pretext of marriage but subsequently entered into marriage with another girl. In panchaity also no result has come.

6. In the present facts and circumstances of this 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 1st Additional Chief Judicial Magistrate, Purnea, in connection with Banmankhi P.S. Case No.357/2022, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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