

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75141 of 2022**

Arising Out of PS. Case No.-21 Year-2022 Thana- MAHILA P.S. District- Samastipur

Vickki Kumar @ Vikki Kumar @ Vikky Kumar S/o Santosh Paswan R/v-
Chhoti Punas, P.S.- Muffsil, District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Anu Priyadarshni, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
CAV ORDER**

4 25-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
14.07.2022 in connection with Mahila P.S. Case No. 21 of 2022,
F.I.R. dated 27.04.2022 for the offences punishable under
Sections 376, 341, 323, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioner is that, on the pretext
of marriage with the informant, he committed rape upon her and
later on lured the informant and took her to Gujrat, married her
in a temple. It is further alleged that when the informant get
pregnant, the accused petitioner threatened her to abort the child



and started beating the informant in a closed room.

Learned counsel for the petitioner submits that petitioner carries one more case other than the present one and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that the informant had solemnized marriage with the petitioner in a temple and as such she is legally wedded wife of the petitioner. He further submits that the informant was blessed with a child from the wedlock of the petitioner, hence no case under Section 376 of the Indian Penal Code is made out against the petitioner. He further submits that the petitioner is ready to keep the informant as a wife with full dignity and honour and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 14.07.2022.

The learned Additional Public Prosecutor has no objection in this regard.

Considering the aforesaid facts and circumstances, 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 Additional District Judge-IX, Samastipur in connection with Mahila P.S. Case No. 21 of 2022, subject to the following conditions:-



1. One of the bailor must be the father of the petitioner.

2. 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

4. 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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