

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11528 of 2024**

Arising Out of PS. Case No.-74 Year-2023 Thana- BHAGWANPUR District-
Begusarai

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PRADEEP KUMAR SON OF SRI TEJ NARAYAN MAHTO RESIDENT OF
VILLAGE - KIRATHPUR, P.S. - BHAGWANPUR, DISTRICT - BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 26-02-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner seeks bail in connection with

Bhagwanpur P.S. Case No. 74 of 2023 registered for the

offence under Sections 323, 341, 376 and 34 of the Indian

Penal Code.

3. According the prosecution, the petitioner is

alleged to have established physical relation with the victim

girl on the pretext of performing marriage and after passage

of time, he refused to perform marriage with the victim girl.

4. Learned counsel appearing for the petitioner

submits that the petitioner, who is of clean antecedent, is

innocent and has falsely been implicated in this case. He



further submits that the petitioner has performed marriage with the victim girl on 01.10.2023 at Bainatyh Dham Temple which would be evident from Annexure-3 to the application. He further submits that both the parties have filed a compromise petition before the trial court, which is evident from Annexure-4 and, therefore, nothing remains in this case for further prosecution of the petitioner in the present case. The petitioner is rotting in judicial custody since 06.11.2023.

5. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as also the fact that the petitioner has performed marriage with the victim girl and both the parties have, voluntarily, compromised their case by filing a compromise petition before the trial court, which is at annexure-4, this Court is inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is allowed.

7. Let the, above named, petitioner be released on bail, ***after framing of Charge***, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial



Magistrate-1st Class, Begusarai in connection with
Bhagwanpur P.S. Case No. 74 of 2023.

8. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the above name petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner shall present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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