

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10719 of 2023

Arising Out of PS. Case No.-116 Year-2022 Thana- MAHILA P.S. District- Patna

JITENDRA KUMAR S/o Sri Laldeo Prasad R/o Village- Dhanaut Near
Gayatri Mandir Rupaspur, P.S.- Rupaspur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Yogendra Kumar, Advocate
For the Opposite Party/s :	Mrs. Nirmala Kumari, APP
For the Informant :	Ms. Shashi Priya, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

13 18-11-2024 Heard Mr. Yogendra Kumar, learned counsel for the petitioner and Ms. Shashi Priya representing the informant beside learned APP.

2. The petitioner is in custody in connection with Mahila P.S. Case No. 116 of 2022 for the offence punishable under sections 376, 506, 509 and 34 of the Indian Penal Code lodged on 20.09.2022 by the informant, Soni Kumari.

3. As per the prosecution story, the informant alleged that in the garb of solemnization of marriage, he established physical relationship for years but later, was engaged to someone else, feeling cheated, the FIR.

4. Learned counsel for the petitioner submits that due to some confusion, the FIR came to be lodged, he was always



willing to marry the lady, in extension of that, the family agreed and they tied their nuptial knots on 17.11.2024 and earlier, a certificate of marriage has been also issued by the Special Marriage Officer-cum-Sub Registrar, Danapur, Patna vide Certificate No. 25 of 2024.

5. Ms. Shashi Priya representing the informant submitted that the facts that has been brought by the learned counsel for the petitioner is/are correct inasmuch as subsequently, they have solemnized marriage on 17.11.2024 and prior to the said marriage, the special marriage took place on 12.11.2024.

6. Taking into account the submissions put forwarded by the parties, FIR is there, the petitioner will face the music and he was granted provisional bail on 17.10.2023 by a Coordinate Bench of this Court, this Court is inclined to confirm the provisional bail granted to the petitioner on 17.10.2023.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M. Ist Class, Patna Sadar, Patna, in connection with Mahila P.S. Case No. 116 of 2022 subject to the following conditions:

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her 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 bond by the Trial Court itself;

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

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

(Rajiv Roy, J)

Adnan/-

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