

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87663 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- MAHILA P.S. District- Madhepura

Mahohar Kumar S/O Anirudh Yadav @ Aniruddh Yadav R/O Village-
Madhaili Bazar Ward No.-13, P.S- Shankarpur, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 08-01-2025 Heard the parties.

2. The petitioner is in custody in connection with Madhepura Mahila P.S. Case No. 21 of 2024 for the offence punishable under sections 341, 342, 323, 354(B), 366, 504, 506 and 34 of the Indian Penal Code lodged on 29.06.2024 by the informant, Pushpa Kumari.

3. As per the prosecution story, the informant alleged that she got acquainted with the petitioner and as her father died as a Home Guard while on duty, promising that she will be getting compassionate appointment, was appointed and sent for training. On one fateful morning, she accompanied Ashish Kumar who had helped her in compassionate appointment and took to other accused and later, got herself forcibly married to this petitioner. This led to the FIR.



4. Learned counsel for the petitioner submits that the love affair turned sour, this led to the FIR.

5. Now, the parties have arrived to a compromise and he has remained in custody since 15.09.2024 having no criminal antecedent.

6. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer submitting that the lady was forcibly taken/married to the petitioner.

7. Taking into account the aforesaid facts as also that the petitioner has remained in custody has no criminal antecedent, as per the document on record, they have arrived at a compromise, FIR is there and he will be facing the trial, this Court is inclined to extend him the privilege of bail with conditions.

8. 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 S.D.J.M., Madhepura, in connection with Madhepura Mahila P.S. Case No. 21 of 2024 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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