

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35790 of 2015

Arising Out of PS.Case No. -59 Year- 2014 Thana -MAHILA P.S. District- KISANGANJ

Moazzam son of Imajuddin resident of village- Kharsail P.S.- Bahadurganj,
Distt. Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Raushan Ara, D/o Shahid Alam, R/o Vill. Kharsail, P.O. Khodaganj,
P.S. Bahadurganj, Distt. Kishanganj.

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Firoz Ahmad

For the Opposite Party/s : Mr. Shailendra Kr.Singh (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 02-11-2015 Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 376 and other sections of the Indian Penal Code.

The complainant alleged that the petitioner, on the
pretext of marriage, established physical relation with her but the
petitioner later on refused to perform marriage with her. The
victim made her statement under Section 164 Cr.P.C. and she
disclosed that on account of some dispute, she filed the case. The
victim also filed Bahadurganj P.S. Case No. 185/2013 under
Section 376 IPC against Kausar Alam and she made the same and
similar allegations. The victim appears to be habitual in filing such
false cases. The victim did not support her case in the statement
under Section 164 Cr.P.C. which is annexed as Annexure-2.

The complainant-informant has also appeared and submitted that the case has been compromised.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged 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 S.D.J.M., Kishanganj in Kishanganj Mahila P.S. Case No. 59/14, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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