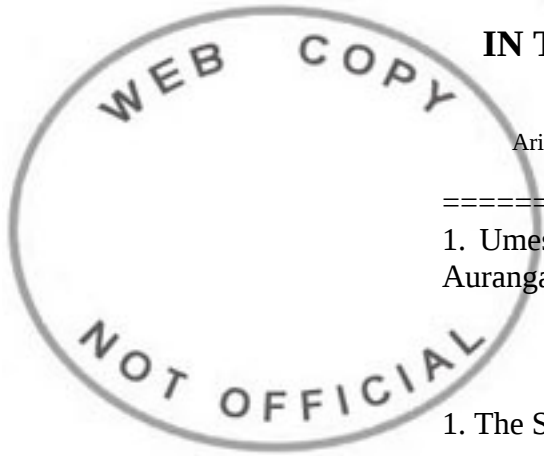




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4234 of 2016

Arising Out of PS.Case No. -454 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

=====

1. Umesh Ram S/o Late Rampravesh Ram, R/o Vill- Kama Bigha, P.S.-
Aurangabad (Town), District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. S.M.Rahman(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-01-2016 Heard learned counsels for the petitioner and

the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 363, 366, 376/34 of the Indian Penal Code.

The prosecution case is that the informant was earlier married with one Sankar Ram. Subsequently, seven months prior to lodging of the FIR, the informant came to her parent's house, when co accused Guddu Ram took her to Surat and established physical relationship, on the pretext of marriage. But after four months, the petitioner came

there and directed Guddu to marry someone else.

It is submitted by learned counsel for the petitioner that there is no proof that the informant lived with co accused Guddu or the petitioner went to Surat. Moreover, as per own admission of the informant, in the FIR, the informant was already married and she went in the company of Guddu of her own hence, neither any offence under sections 363, 366 IPC nor section 376 IPC is made out. The FIR does not reflect the exact date of the commission of the offence. A statement has been made in paragraph no. 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad in connection with Aurangabad (Town) P.S. Case No. 454 of 2015, subject to the conditions as laid

down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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