

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53671 of 2016

Arising Out of PS.Case No. -51 Year- 2016 Thana -MAHILA PS District- GAYA

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Firoz Alam @ Firoz Akhtar, Son of Md. Hafizuddin, resident of Village-
Ghoraghat, P.S. Dobhi, District- Gaya.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.
For the State : Mr.
For the Informant : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 23-12-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioner apprehends his arrest in connection with
Mahila P.S. Case No.51 of 2016 registered under Sections 376/34
of the Indian Penal Code besides Sections 3/4 of the Dowry
Prohibition Act.

The accusation of the informant is that petitioner being
her neighbour used to visit her house. In that course, she
developed friendship with the petitioner. Thereafter, the petitioner
pressurized her for physical relation then the informant asked for
marriage and, after that, petitioner assuring to perform the
marriage with her started to develop physical relation with her



regularly. On 17.07.2016, when the informant was going to attend the marriage function then this petitioner called her in a vacant house where the petitioner made physical relation with her. As some persons saw the petitioner making physical relation with the informant, the rumour spread over the village. When the parents of the informant asked the parents of the petitioner to perform the marriage of the informant with the petitioner, who also showed their awareness about their physical relation, but, later on, the petitioner and his family members refused to perform the marriage with the informant. Thereafter, a Panchayati was arranged on 25.07.2016 where the petitioner admitted his physical relation with the informant and also assured to perform his marriage with the informant but, subsequently, the petitioner and his family members started to make demand of dowry for performing the marriage with the informant and on showing inability by the parents of the informant, they refused to perform the marriage.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner is next door neighbour of the informant and the family members of the informant got managed to lodge this false case against the petitioner only to put undue pressure upon the petitioner so that the petitioner may perform his marriage with the informant, who is major, aged about 19 years.



Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, in connection with Mahila P.S. Case No.51 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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