

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27416 of 2016

Arising Out of PS.Case No. -59 Year- 2016 Thana -PATNA CITY CHOWK District- PATNA

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Khurshid @ Chhotu Son of late Abdul Wahid Resident of Mohalla-
Kanpura Ki Masjid Batau, Kuan, PS Chowk, District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shakil Ahmad Khan, Advocate.

For the Opposite Party : Mr. Nirmal Kumar Sinha, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 02-09-2016 Heard both sides.

The petitioner apprehends his arrest in Chowk P.S. Case
No. 59 of 2016 registered for the offences punishable under
Sections 420, 366 and 376 of the Indian Penal Code.

The victim made allegation that the petitioner was
sexually exploiting her for last more than seven years on assurance
to marry with the victim. On 13th August, 2015 engagement for the
marriage of the informant with the petitioner was performed but
even after marriage of younger sister of the petitioner the
petitioner did not agree to marry with the victim.

Learned counsel for the petitioner submits that the
petitioner was residing in Arab country since the year 2007 and
the allegation is false.

On the other hand, learned counsel for the informant submitted that the petitioner returned from Arab country in the year 2015 and engagement ceremony was performed but thereafter the petitioner repudiated from his own words and did not agree to marry with the informant.

From perusal of the contents of the FIR itself, it appears that the victim was a consenting party and she did not make any protest, on such, the alleged relationship was established for last seven years. On the face, it appears that when the petitioner refused to marry to the victim, the victim filed this case.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the 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 Sub-Divisional Judicial Magistrate, Patna City in Chowk P.S. Case No. 59 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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