

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34554 of 2016

Arising Out of PS.Case No. -4128 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Md. Alam son of Md. Chhedi, resident of Village- Sheikhpura, P.S.-
Bhawanipur, District- Purnea.

.... Petitioner

Versus

1. The State of Bihar.
2. Begam Khatoon, daughter of Md. Gullo, wife of Md. Alam, resident of
Village- Sheikhpura, Sabji Tola, P.S.- Bhawanipur, District- Purnea.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Manish Kumar
For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 06-09-2016 Heard Mr. Ziaul Quamar, learned counsel for the

petitioner, learned Addl. Public Prosecutor and Mr.Firoz Ahmad,

learned counsel, who has voluntarily appeared on behalf of the

complainant/Opp.Party no.2.

The petitioner, apprehending his arrest in
Complaint Case No. 4128 of 2012 registered for the offence under
Sections 376, 323, 225, 380, 457, 120(B) of the Indian Penal
Code, has prayed for grant of bail, in the event of his arrest.

It was submitted by learned counsel for the
petitioner that of course in the complaint petition, it was alleged
that by promising to marry with the complainant, the petitioner
started physical relation, but since he refused to marry, the

complaint was filed. However, after filing of complaint case, a good sense prevailed and now the complainant is residing with the petitioner as husband and wife. By way of referring to Annexure-4 to the petition, it was submitted by learned counsel for the petitioner that even a compromise petition was filed before the court below.

Learned counsel for the complainant accepts that now the complainant is living with the petitioner as his legally wedded wife and she does not want to pursue the matter.

In view of facts and circumstances, let the petitioner, namely, Md. Alam, in the event of his arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Mithilesh Kumar, learned Judicial Magistrate, 1st Class, Purnea /concerned Magistrate in connection with Complaint case No.4128 of 2012, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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