



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58238 of 2015

Arising Out of PS.Case No. -187 Year- 2015 Thana -BAHADURGANJ
District- KISANGANJ

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Anwar Alam, son of Mohiuddin, resident of Musaldanga,
Police Station-Bahadurganj, District-Kishanganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Dilip Kumar Singh, Adv.
For the State : Mr. Amitesh Kumar, A.P.P.
For the Informant : Mr. Uday Bhanu Roy, Adv.
Mr. Anant Kumar-1, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

2 01-02-2016 Heard learned counsel, appearing on behalf of
the petitioner, learned Additional Public Prosecutor,
appearing on behalf of the State, and learned counsel,
appearing on behalf of the informant.

 This application for grant of anticipatory bail
arises out of Bahadurganj P.S. Case No.187 of 2015,
disclosing offences under Sections 341, 323, 376 and
506/34 of the Indian Penal Code.

It is alleged that the petitioner on the basis of assurance given to the informant, established physical relationship with her and continued with the same for 3 years. He finally refused to marry her, leading to institution of the First Information Report.

Learned counsel, appearing on behalf of the petitioner, submits that no offence, under Section 376 of the Indian Penal Code, is made out against the petitioner, as the allegation of establishing physical relationship is consensual and not forcible.

Learned counsel, appearing on behalf of the informant, has, on the other hand, opposed the prayer for anticipatory bail vehemently.

However, considering the nature of accusation, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Kishanganj**, in connection with **Bahadurganj P.S. Case No.187 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the

petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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