

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14113 of 2017

Arising Out of PS.Case No. -11 Year- 2016 Thana -MAHILA PS District- KATIHAR

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1. Md. Mister, Son of Md. Mainul, resident of Village- Bharsiya (Tin Dhariya), P.S.- Falka, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 19-05-2017

Heard learned counsel for the petitioner and

learned counsel for the State.

Petitioner apprehends his arrest in connection with Mahila P.S. Case No. 11 of 2016 registered for the offences under Sections- 376, 457, 506, 420 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. As a matter of fact, one Md. Arfat had sexual relations with the informant on the pretext of marriage and when informant became pregnant of four month she narrated the story to his parents. Panchayati was held and Md. Arfat agreed to get married with the informant. Accordingly, she was married to Md. Arfat. She



was forced to file complaint against this petitioner. On protest, she was ousted from her matrimonial home. Md. Arfat and informant made affidavits before the Notary Public to the effect that they have married each other and they do not want to go for DNA test. Due to enmity of Md. Arfat with the petitioner, the present case has been lodged by the informant on the pressure of her husband. The matter has been compromised between the parties and a joint compromise petition has been filed before the Court below on 16.05.2017.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender within a period of four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Mahila P.S. Case No. 11 of 2016 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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