

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5246 of 2018

Arising Out of PS.Case No. -31 Year- 2016 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Tabrej Alam, Son of Late Ayub, Resident of Village-Telpur, Police
Station-Lauriya, District-West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahani, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 31-01-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Lauriya P.S. Case No.31 of 2016, a case under Sections 417/376
of the Indian Penal Code.

Allegation against the petitioner is that he was in
physical relation with the informant on the pretext of marriage.
However, subsequently the petitioner refused to marry with her.

Submission is that the informant was a consenting
party. Hence, offence under Section 376 of the Indian Penal Code
is not applicable. So far other allegations are concerned, due to
some other dispute the false case has been lodged.

Considering the aforesaid submission, let the



petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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