

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2585 of 2018

Arising Out of PS.Case No. -68 Year- 2017 Thana -RAUTA District- PURNIA

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1. Md. Akhtar @ Akhtar Hussain S/o Shah Alam, R/o village- Harna,
Khuniya Toli, P.S.- Rauta, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Rauta P.S. Case No. 68
of 2017 instituted for the offence under Sections-376, 504, 506/34 of
the Indian Penal Code.

The victim has filed written report in which she has stated
her age to be 20 years.

It is alleged that this petitioner used to establish physical
relationship with the informant for the last one year on the pretext to
marry her. It is alleged that on 30-06-2017 at 8.00 a.m. while she had
gone towards back of her house, this petitioner caught hold her and
established physical relationship with her on the pretext of marriage.
The Mami of the informant saw both of them and thereafter, the
informant told this petitioner to marry with her but finally, in the
Panchayati, the petitioner refused to marry with the informant.



In this manner, from the FIR itself, it appears that the girl is major and everything was done with her consent.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Rauta P.S. Case No. 68 of 2017 to the satisfaction of Sri P.K. Mohit, learned Judicial Magistrate-Ist Class, Purnea subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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