

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47470 of 2018

Arising Out of PS.Case No. -38 Year- 2017 Thana -MAHILA P.S. District- KISANGANJ

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Mustafa Gulam Mustafa @ Gulam Mustafa @ Mustafa son of Halim
resident of Village- Barijan, P.S. Kochadhaman District- Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under
Sections- 376, 420, 406, 323, 504, 506, 313/34 of the Indian Penal
Code.

The allegation against the petitioner is that on the false
promise of marriage, he established physical relationship with the
informant and thereafter, he solemnized marriage with another
lady.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 23-10-2017 and the petitioner has got
no criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge sheet has already
been submitted in this case. The alleged occurrence is said to have



taken place in the year 2015. The FIR has been instituted on 23-10-2017. The delay has not been explained by the prosecution. As per allegation, on the assurance of marriage, the petitioner established physical relationship with the victim but later on, he refused to marry with her. Hence the present prosecution has been brought.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 learned Sub Divisional Judicial Magistrate, Kishanganj in connection with Mahila P.S. Case No. 38 of 2017.

(Sudhir Singh, J)

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