

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60071 of 2018

Arising Out of PS. Case No.-11 Year-2017 Thana- KALYANPUR District- East Champaran

Nezamudin @ Nezamuddin S/o Late Islam Ansari, resident of village-
Alagbani, P.S.- Kalyanpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bal Govind Sharma, Advocate

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 11-12-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Kalyanpur P.S. Case No.11 of 2017 registered under Sections
341, 323, 376 and 420/34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that from the first information report itself it would
appear that out of her own sweet will the informant, who
admittedly is a gown up lady had established relationship with
the petitioner. She was capable enough to understand the
consequences of such relationship. Though, there was no
element of cheating, when the petitioner refused to marry her,
the instant case has been instituted.

Per contra, learned counsel for the State submitted



that the petitioner promised to marry the informant and after establishing physical relationship with her for several months he backed out from the promise.

Regard being had to the nature of allegation, in the event of arrest or surrender before the court below within six weeks from today, the petitioner 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 learned A.C.J.M.,-IX, East Champaran, Motihari in connection with Kalyanpur P.S. Case No.11 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md. S/-

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