

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9008 of 2019

Arising Out of PS. Case No.-180 Year-2018 Thana- HARLAKHI District- Madhubani

Md. Mustaque @ Md.Mustaq Aalam, son of Md. Shafique, resident of Village-Sothgaon, P.S-Harлакhi, Distt.-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate.

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 09-05-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Harlakhi P.S. Case No.180 of 2018/G.R. No.674 of 2018 registered under Sections 341, 323, 504 and 376/34 of the Indian Penal Code besides Sections 3/4 of the Dowry Prohibition Act.

The accusation is that the petitioner developed physical relation with the informant repeatedly on the pretext of performing the marriage but, later, on the petitioner refused to perform the marriage.

Learned counsel for the petitioner submits that, admittedly, the informant and the petitioner are the co-villagers.



The parents of the informant approached the parents of the petitioner to perform the marriage of the informant with the petitioner and when they refused, the informant lodged the present false case. Further submission is that in the medical examination, the age of the informant was found about 18 years.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Benipatti, District-Madhubani, in connection with Harlakhi P.S. Case No.180 of 2018/G.R. No.674 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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