

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26783 of 2019

Arising Out of PS. Case No.-8 Year-2019 Thana- MAHILA P.S. District- Araria

MD. ANEFUL @ ANEFUL, aged about 20 years, Gender-Male, Son of Sajjad @ Shahjad Hussain Resident of Village - Pathraha, Ward No.16, P.S.- Ghurna (Narpatganj), District- Araria.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Mukesh Kumar Jha,Advocate.
For the Opposite Party : Mr.Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-04-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 23.01.2019 in a case for the offence registered under Section 376 of the IPC.

The prosecution story, in brief, is that the petitioner established physical relationship with the victim without her free consent on promise to marry her. Later on, he refused to marry with the victim.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case. It is alleged that on pretext of marriage, the petitioner established physical relationship with the victim. Later on, the petitioner denied to perform marriage. Hence, the present case has been instituted against him. No offence under Section 376 of the IPC is made out.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the 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 the learned S.D.J.M. Araria, in connection with Araria Mahila P.S. Case No. 08/2019.

(Sudhir Singh, J)

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