

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37045 of 2019

Arising Out of PS. Case No.-2 Year-2017 Thana- COMPLAINT CASE District- Kishanganj

Shahnawaz Alam @ Sahanwaz @ Sonu, aged about 24 years, Male, Son of
Md. Sagir, Resident of Village - Balubari, P.S.- Dighal Bank, District-
Kishanganj

... .. Petitioner

Versus

1. The State of Bihar
2. Sahanwaz Praveen, aged about 20 years, Female, D/O - Md Abdul, Resident
of Village - Balubari, P.S.- Dighal Bank, District- Kishanganj.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 03-07-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Complaint Case No. 02 of 2017,
registered for the offence under Sections 376 and 354 of the
Indian Penal Code.

The victim-opposite party no.2 is present in the
Court and this Court has obtained her signature with the date,
the same is being kept on record.

Allegation has been made against the petitioner that



he has given allurement of the marriage and entered into the sexual relationship with the opposite party no.2, but later on, the petitioner resiled from his commitment.

Learned counsel for the petitioner submits that opposite party no.2 is in habit of lodging of such type of cases and by this method she used to trap unmarried boys and one Md. Anwar was also in her trap and has filed complaint petition, which was registered as Complaint Case No. 02 of 2017.

Nikahnama has been attached to this bail petition, which has been denied by opposite party no.2 that no such marriage has been solemnized.

Examining the signature of the opposite party no.2 and considering the other materials available on record, this Court is inclined to grant bail to the petitioner. Let the above-named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Kishanganj, in connection with Complaint Case No. 02 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.



However, this Court directs the Court below to conclude the trial on day-to-day basis and the petitioner would extend all co-operation for early disposal of the trial. In the event, the petitioner would not extend his co-operation, the Court below will be at liberty to cancel the bail of the petitioner. This Court also directs the opposite party no.2 to extend all her co-operation in early disposal of the trial.

(Shivaji Pandey, J)

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