

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64373 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- MAHILA District- Munger

MD. AFSAR ALAM @ BANTY KUMAR @ BUNTY KUMAR S/o Ebrarul
Haque @ Ibraul Haque @ Md. Ibrarul Haque R/o village- Sutur Khana Hazi
Sujan Mubarak Chak, P.S.- Purabsarai, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Rajendra Prasad Nat

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-10-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Mahila P.S. Case no. 17 of 2019, registered under Sections
376, 341 and 323 of the Indian Penal Code.

The accusation is that petitioner developed
physical relation with the informant then she tried to commit
suicide. Thereafter, petitioner gave assurance to perform
marriage with her and, later on, they performed marriage in
closed door. But, after two months petitioner started to neglect
her and told her to go to file a case and also caused assault to
her.

Learned counsel for the petitioner submits that, in
fact, petitioner is the compounder in the clinic of Dr. Sanjeev



Kumar, where the informant is doing the work of nurse and with ulterior motive only to perform marriage, this false case has been lodged. Moreover, in the statement recorded under Section 164 Cr.P.C. on 13.05.2019, she made complaint of rape against Dr. Sanjeev not against the petitioner. Further submission is that, in fact, informant is in habit of lodging false case. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Munger in connection with Mahila P.S. Case No. 17 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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