

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65926 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- MAHILA P.S. District- Rohtas

SAIYAD SARTAZ @ SAIYAD SARTAZ ALAM @ GUDDU Son of Saiyad
Noor @ Munnu Resident of Moh.- Madar Darwaja Sasaram, P.S.- Sasaram,
District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhinay Raj

For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 493 and 354(D)/34 of the Indian Penal
Code, registered in connection with Mahila, Dehri P.S.Case No.
39 of 2019.

3. It is submitted that the petitioner has been falsely
implicated on the accusation of having established physical
relationship with the informant on the promise of marriage, but
subsequently having resiled from such promise. It is submitted
that ingredients of the offences under Sections 493 and 354(D)
IPC are not attracted on the averment in the FIR. There is
nothing to suggest that the petitioner had induced the informant



to believe that she was allegedly married to him. On the contrary, she repeatedly requested the petitioner to solemnize the marriage with her. The offence alleged under Section 354(D) IPC is in any event bailable. The petitioner claims clean antecedents.

4. Learned APP, assisted by learned counsel for the informant, has been heard.

5. Be that as it may, in the event of petitioner's arrest or surrender before court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class Rohtas at Sasaram in connection with Mahila, Dehri P.S. Case No. 39 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the



investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

HR/-

U		T	
---	--	---	--

