

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83170 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- MAHILA P.S. District- Araria

SARFRAZ ALAM @ MD. SARFRAZ Son of Yusuf Resident of Village -
Singhiya, Ward No. 03, P.S.- Sikty, Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehends his arrest in a case registered under Sections 376, 341, 323, 504, 379/34 of the Indian Penal Code.

Allegedly, on the false pretext of marriage, the petitioner established physical relationship with the informant and later on, he refused to marry with her.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. As per allegation made in the FIR, on the false pretext of marriage, physical relationship was established between the parties. Later



on, the petitioner denied to marry with the informant. Admittedly, it was a consensual physical relationship between the parties. The petitioner has further relied upon a case of the Hon'ble Supreme Court since reported in **2019 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharashtra & Ors.)**

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner, above named, in the event of arrest or surrender in the court below within six weeks shall 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 learned Chief Judicial Magistrate, Araria in connection with Araria (Mahila) P.S. Case No. 87 of 2019 subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Sudhir Singh, J)

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