

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 6445 of 2020

Arising Out of PS Case No.-605 Year-2019 Thana- TULKAULIYA District- East Champaran

Raisul Azam, age 34 years Male, Son of Shekh Manan, Resident of Village-
Mahammadpur, P.S.- Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nafisuzzoha, Advocate

For the State : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 28-02-2020

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Tulkauliya (Banjariya) PS Case No. 605 of 2019 dated 26.08.2019
instituted under Sections 341, 323, 376, 504 and 120B of the
Indian Penal Code.

3. The allegation against the petitioner is that he had
established illicit relationship with the informant who was a
married lady forcibly.



4. Learned counsel for the petitioner submitted that it is unbelievable that for so many years, the petitioner would establish illicit relationship forcibly without the consent of the informant. It was further submitted that thereafter, the parties have also compromised and filed petition before the Chief Judicial Magistrate, East Champaran. Learned counsel submitted that the petitioner has no criminal antecedent.

5. Learned APP submitted that the informant has made allegation against the petitioner. However, he could not controvert the fact that there has been compromise between the parties.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in Tulkauliya (Banjariya) PS Case No. 605 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973. One of the bailors shall be a close relative of the petitioner.



7. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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