

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15091 of 2020

Arising Out of PS. Case No.-45 Year-2018 Thana- MAHILA P.S. District- Samastipur

Md. Masum @ Md. Masoom son of Late Md. Mustagim @ Late Md. Mustakim Resident of Village-Mohammadpur Koari, P.S.-Waini (O.P), Tajpur, District-Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-06-2020 Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner who is in custody since 12.12.2019 has filed the instant application for grant of regular bail in connection with Samastipur Mahila P.S. Case no. 45 of 2018 registered under sections 376, 341, 323, 379, 504 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant that on the pretext of marriage, the petitioner had been establishing physical relation with her and thereafter marriage did not take place. It is further stated that the mother of the petitioner also took Rs. 1,20,000/- on the ground of marriage.

It is submitted by learned counsel for the petitioner that from perusal of the FIR itself, no offence under section 376 of the Indian Penal Code is made out against the petitioner. It is further submitted that from perusal of



the statement of the informant recorded under section 164 Cr.P.C it would transpire that she is a major having herself disclosed her age as 18 years, the petitioner has no criminal antecedent and is in custody since 12.12.2019.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the above facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Samastipur Mahila P.S. Case no. 45 of 2018 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st, Samastipur.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

