

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72472 of 2019

Arising Out of PS. Case No.-247 Year-2019 Thana- KORHA District- Katihar

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Anwar @ Anwar Alam, S/o Late Samed Ali, Resident of Village- Charkhi,
P.S.- Korha, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sultana Khatoon, D/o Amir Hamja, Resident of Village- Charkhi, P.S.-
Korha, District- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sah @ Baranwal
For the Opposite Party/s : Mr.Shyameshwar Dayal

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

ORAL ORDER

2 06-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Korha P.S. Case No. 247 of 2019, registered under Section
376 of the Indian Penal Code.

The accusation is that petitioner being the neighbour
of the complainant-informant, aged about 20 years, entered in
her house and developed the physical relation on pretext to
perform the marriage. After six months, when she started to give
pressure to perform the marriage then she was taken by the
petitioner at Delhi, where petitioner again made attempt to
develop the physical relation but she refused saying to perform



the marriage first. Thereafter, she was boarded in train and the food was served to her then she became unconscious and when she regain unconscious then she found herself at Bhagalpur. Thereafter she went at her house and narrated the incident to the villagers then villagers arranged the Panchayat on which parents of the petitioner disclosed that they have no knowledge whereabouts of the petitioner.

Learned counsel for the petitioner submits that it would appear from the complaint petition that since one year petitioner developed the physical relation with the complainant-informant but she has given contradictory statement recorded under Section 164 Cr.P.C., in which, she disclosed that she was taken by the petitioner at Katihar and perform the marriage and thereafter, she was taken at Delhi, where she was assaulted by brother and sister-in-law of the petitioner and removed from the house and boarded in train. Further submission is that 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 six 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 learned Chief Judicial Magistrate, Katihari, in connection with Korha P.S. Case No. 247 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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