

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24785 of 2020

Arising Out of PS. Case No.-41 Year-2019 Thana- MAHILA P.S. District- Purnia

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Amit Kumar @ Amit Kumar Poddar S/o Dilip Poddar Resident of Village-
Diyara Bishanpur, P.S.- Dhamdaha, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-01-2021 Heard learned counsel for the petitioner and

learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Mahila P.S. Case No.41 of 2019, registered under sections 341, 376, 506, 509 and 34 of the Indian Penal Code.

As per allegation in the F.I.R, it is stated by the informant that on the false promise of entering into marriage, the petitioner established physical relations with her and subsequently refused to marry.

It is submitted by learned counsel for the petitioner that allegations as narrated in the F.I.R. are false and concocted. The informant admittedly is a major. It is further submitted that even as per the allegations made in the F.I.R. , no offence under



section 376 of the Indian Penal Code would be made out. While the occurrence is stated to have taken place on 20.2.2018, the F.I.R. was registered after unexplained delay of 1 year 9 months on 4.12.2019. The petitioner has no criminal antecedent antecedent.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the submissions made on behalf of the petitioner, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Mahila P.S. Case No. 41 of 2019, he will be enlarged on bail on furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Purnea subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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