

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40069 of 2020

Arising Out of PS. Case No.-42 Year-2020 Thana- SHYAMPUR BHATHA District- Sheohar

SALAKAT ANSARI, Son of Late Bhola Ansari Resident of Village -
Jahangirpur Ansari Tola P.S. Sheyampur Bhatahan District - Sheohar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Salakat Ansari, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-02-2021 Heard Mr. Md. Salakat Ansari, learned Counsel for

the petitioner and Mr. Nawal Kishore Prasad, learned Additional

Public Prosecutor for the State.

This application, for grant of regular bail, arises out
of Sheyampur Bhatahan Police Station Case No. 42 of 2020,
disclosing offences under Sections 323/341/376/379 and 504 of
the Indian Penal Code.

The allegation, as per the First Information Report
is that the son of petitioner pretended to marry with the
complainant and established sexual relationship with her and
subsequently, it has been alleged that the petitioner did not allow
his son to solemnize marriage with the complainant-informant.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged



and he has falsely been implicated in this case merely on the basis of the fact that he happens to be the father, whose son had sexually relation with the complainant-informant. Learned counsel next submits that there is no allegation of rape against the petitioner and only allegation against him is that he did not allow his son to perform marriage with the complainant. Learned counsel next submits that the statement of the complainant was recorded under Section 164 Cr.P.C. in which she has categorically stated that now the son of the petitioner has agreed to perform marriage with the complainant and she has no further grievance.

Having regard to the submissions made by the parties and taking into consideration the nature of allegation and the fact that there is no allegation of rape against the petitioner and the fact that petitioner is in custody since 13.09.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Salakat Ansari, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Sheohar, in connection with Sheyampur Bhatahan Police Station Case No. 42 of 2020.

It is made clear at the time of furnishing bail bond, all



the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

sanjeev/-

U			
---	--	--	--

