

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25793 of 2022

Arising Out of PS. Case No.-287 Year-2021 Thana- MUNGER MUFFASIL District- Munger

ABDUL RAHMAN @ SADDAM Son of Md. Kurban Resident of Village -
Kamarganj, P.s.- Asarganj, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raj Kumar Choudhary, Adv.
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh, APP
For the informant	:	Mr. Rajeev Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is directed to remove
the defect(s) as pointed out by the office within a period of four
weeks.

The petitioner is apprehending his arrest in a case
registered for the offence under Sections-402, 366, 379, 376/34 of the
Indian Penal Code.

The prosecution allegation, in short, is that the informant's
daughter was kidnapped by accused person with intention to marry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has falsely been implicated in the present case. On the pretext of



marriage, physical relationship is said to have been established. For one reason or the other, marriage could not be solemnized. Learned counsel for the petitioner submits that the said relationship was a consensual relationship between the parties. The petitioner is not named in the FIR. He has placed reliance on cases of the Hon'ble Supreme Court since reported in **2019 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharashtra & Ors.) and (2019) 9 SCC 608 (Pramod Suryabhan Pawar vs. The State of Maharashtra and Ors.)**

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above-named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each of the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Muffasil P.S. Case No. 287 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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