

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36276 of 2022

Arising Out of PS. Case No.-64 Year-2021 Thana- MAHILA P.S. District- Araria

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Saddam Hussain @ Md. Saddam Hussain Son of Md Abbas Alam Resident of
Village - Bagdahara Ward No.- 09, P.S.- Jokihat, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-11-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in registered for the
offence punishable under Section 376, 506/34 of the Indian
Penal Code.

As per prosecution case, this petitioner committed
sexual assault with the informant on the false promise of
marriage.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that the alleged relationship
is said to have been developed in the year 2019 and FIR for the
same has been lodged after a gap of two years i.e., on
04.06.2021. It is further submitted that relationship developed
between them was consensual and as such no case under Section



376 of IPC has been made out. Petitioner has got clean antecedent.

Learned counsel for the State opposes the prayer for bail application submitting that this petitioner committed sexual assault with the informant on the pretext of false promise of marriage and the aforesaid fact has also been supported by.

Considering the statement of the victim recorded under Section 164 of IPC, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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