

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49490 of 2021**

Arising Out of PS. Case No.-235 Year-2020 Thana- NAANPUR District- Sitamarhi

Md Nur Alam @ Nur Alam Son of Md. Badre Alam Resident of Village -
Budhanagra, P.S.- Nanpur, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 13-01-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner seeks bail in Nanpur P.S. Case No. 235
of 2020, registered for the offence punishable under Section 376
and other allied sections of the Indian Penal Code.

As per the prosecution case, on the assurance of
marriage this petitioner established physical relation with the
victim (informant) for about four years, but never married. Later
on, she came to know that this petitioner has already married
with somebody else.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. FIR has been
lodged after delay of six days. In fact, petitioner is working in
Gulf country and the informant is member of sister's Sasural



and taking advantage of this fact, this false case has been lodged. No case under Section 354, 376 IPC is made out. Petitioner is in custody since 13.08.2020 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that on false assurance of marriage petitioner established physical relation with informant.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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