

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63992 of 2021

Arising Out of PS. Case No.-274 Year-2020 Thana- HATHAURI District- Muzaffarpur

MD. TUFAIL S/o Late Md. Shoib R/o Village- Thikahi, P.S.- Hathouri, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate.

For the Opposite Party/s : Mr. Murlidhar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-04-2022 Heard learned counsel for the petitioner and learned
APP 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 Hathauri P.S. Case No. 274 of 2020 registered under Section 376 of the Indian Penal Code.

Allegation against the petitioner is of establishing physical relationship with the informant on the pretext of marriage.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against him. The petitioner has been falsely implicated in the present case. On the pretext of marriage, the petitioner is alleged to have established physical relationship with the informant. The same was consensual relationship between the parties. Counsel for the petitioner has



further relied upon cases 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 named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of learned Sub Divisional Judicial Magistrate, Muzaffarpur in connection with Hathauri P.S. Case No. 274 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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