

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 1721 of 2022

Arising Out of PS. Case No.-52 Year-2021 Thana- MAHILA P.S. District- Rohtas

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Saddam Mansuri @ Md. Saddam S/o Md. Kari Mustafa Mansuri @ Md. Mustafa R/o village- Hariharganj, Ward No. 12, P.S.- Nasariganj, Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Rina Sinha, Adv.

For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-11-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Bikramganj Mahila P.S. Case No. 52 of 2021 lodged under section 341/323/376/504/506 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

As per the prosecution case, the informant, who is a major, had made the allegation that the accused petitioner developed physical relationship with her, on the promise of marriage and when she started claiming it, the petitioner refused to marry her and started demanding dowry.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel submits that it is case of consensual relationship between 2 major persons and subsequently this case has been

filed by the informant, which is absolutely false. She further submits that the petitioner is in custody since 10.08.2021 having clean antecedent and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that the statement under Section 164 of Cr.P.C. has been made in this case by the informant/victim and it is correct that informant/victim is a major but allegation is there in Section 164 statement.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail and the bail application is hereby **rejected**.

Liberty is hereby granted to the petitioner to move with prayer for bail 1 month after framing of charge. Thereafter, Trial Court is directed to release the petitioner on bail after imposing its own conditions, so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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