

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28885 of 2023**

Arising Out of PS. Case No.-871 Year-2022 Thana- PURNIA COMPLAINT CASE District-  
Purnia

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MD. FARMOZ S/o- MD. AYUB Village- Bangama Ps- Baisi Dist- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Minnati Khatoon D/o- Md. Ramjan Ali Village- Chauki Ps- Kadwa Dist-  
katihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raj Kumar, Advocate  
For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

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

- 2      17-07-2023                      Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for  
the offences punishable under Sections 376, 313, 504, 506, 509  
of the Indian Penal Code and Section 4/8 of the Protection of  
Children from Sexual Offences Act.
3. It is alleged that this petitioner fraudulently  
procured sexual intercourse with the complainant and threatened  
to make her video clip viral as also forcibly terminated her  
pregnancy. It is further alleged that to make the video clip  
complainant was brutally assaulted and her mobile was also  
snatched.
4. It is submitted that both the parties are major and  
relationship between them was consensual. Both of them



enjoyed each other's company and the victim, knowing the consequence of the relationship, continued to be in relation with the petitioner for five years as such, the same cannot be said to be involuntary. Petitioner has got clean antecedent.

5. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1<sup>st</sup>-cum-Additional Munsif, Purnea in connection with Complaint Application No. 871 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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