

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33849 of 2023

Arising Out of PS. Case No.-615 Year-2022 Thana- KESARIA District- East Champaran

Md Wazul @ Guddu @ Md Bazul @ Guddu Son Of Late Hafiz Mian
Resident Of Village- Chand Saraiya Ps- Piprakothi, Distt- East Champaran
... .. Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Pramod Kumar Pandey, Advocate
For the Opposite Party : Mr.Binod Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-07-2023 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 376/420/406 of the Indian Penal Code.

3. As per the prosecution case, on the pretext of marriage, this petitioner established physical relation with the complainant and later on refused to marry.

4. Learned counsel appearing for the petitioner submits that both parties are major and enjoyed company of each other for more than seven years and indulged in sexual activity and hence the same cannot be said to be induced or involuntary. He further submits that as a matter of fact informant is relative of the petitioner and had taken Rs.1.5 lacs and when the petitioner demanded his money, informant abused the petitioner and in retaliation filed this false and concocted



case. Petitioner claims clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, 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 the Judicial Magistrate 1st class, Motihari, East Champaran in Kesariya Police Station Case No. 615 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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