

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32700 of 2022

Arising Out of PS. Case No.-1 Year-2021 Thana- MAHILA P.S. District- Araria

Intkhab Alam @ Md. Intkhab Alam Son Of Md. Gaffar Resident Of Village-
Bhagat Tola, Ward No.- 28, Araria, P.S.- Araria, District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwar, Sr. Adv. Mr.Ramesh Kumar Singh Mr. Kumar Rajdeep
For the Opposite Party/s :		Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 23-02-2023 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

The petitioner has filed the instant application for
grant of regular bail in connection with Araria (Mahila) P.S.
Case No. 01 of 2021 registered under sections 376 and 34
of the Indian Penal Code.

Prosecution case in short is that the informant has
love affairs with this petitioner since 2015 and in the
meanwhile, on the pretext of solemnization of marriage, he
has established physical relationship with the
informant/victim several times and later on he refused for
solemnizing marriage with the victim.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on account of family grudge and village politics. It is further submitted that the doctor opined the age of the victim is about 20 years and the medical report of the victim does not corroborate with the prosecution version. Hence, the Section 376 of the IPC is not made out in this case. There is no question of demanding dowry from the victim by the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 01.04.2022.

The application for bail is vehemently opposed by learned APP for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Araria (Mahila) P.S. Case No. 01 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten



thousand) with two sureties of the like amount each to the
satisfaction of the learned A.C.J.M.-V, Araria.

(Sunil Kumar Panwar, J)

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