

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34690 of 2023

Arising Out of PS. Case No.-165 Year-2022 Thana- PARSAUNI District- Sitamarhi

Mahtab Ansari @ Md Mahtab Ansari Son Of Alam Ansari Resident Of
Village- Harpursari, Ps- Parsauni, Distt- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Krishna Murari, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-07-2023 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 376/504/506/34 and other allied sections of the Indian Penal Code.

3. As per the prosecution case, on the pretext of marriage, petitioner established physical relation with the informant and latter refused to perform marriage. He also abused and assaulted the informant and her parents.

4. Learned counsel for the petitioner submits that from perusal of the FIR itself it reflects that when friendship developed between both the parties they were major. Both of them engaged in sexual activity for quite some time which cannot be said to be induced and involuntary. As such, allegation of inducement and commission of rape is not made out against the petitioner. Petitioner has got no criminal



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 Judicial Magistrate 1st class, Sitamarhi in Parsauni Police Station Case No. 165 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

