

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36808 of 2023

Arising Out of PS. Case No.-125 Year-2023 Thana- SABAUR District- Bhagalpur

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Avinash Kumar Yadav S/O Bangali Yadav R/O Vill. Khajari, PS. Bhargama,
Dist. Araria

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Nusrat Vegam D/O Md. Iliyas R/O vill. Salpur, PS. Goradih, Dist.
Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda
For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 376, 313, 419, 420,
504, 506 and 120B/34 of the Indian Penal Code.

The allegation against the petitioner is of establishing
physical relationship with the informant on the false pretext of
marriage.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has



committed no offence. From the perusal of the FIR, it appears that there has been love affairs between the informant and the petitioner and out of love affairs they solemnized marriage with each other. When, she became pregnant and due to lack of care by the petitioner she annoyed and left the matrimonial house without informing the petitioner and his family members and came to the house of her father and lodged this case. Therefore, the offence u/s 376 and 420 of the IPC is not made out against the petitioner. The dispute between the informant and the petitioner has been patched up on intervention of their mutual friends and well wishers and disputes have been settled between them, it is apparent from annexure-2, which is annexed with this petition. He further submitted that good sense has been prevailed between the parties. He is languishing in judicial custody since 15.03.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties



of the like amount each to the satisfaction of the learned C.J.M.,
Bhagalpur in connection with Sabaur P.S. Case No. 125 of 2023.

(Sunil Kumar Panwar, J)

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