

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45319 of 2023

Arising Out of PS. Case No.-49 Year-2022 Thana- RAUTA District- Purnia

Md Akmal @ Akmal S/O Jamaiunddin R/O Village- Khatatoli, Ps. Rauta,
Dist. Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 376, 504, 506, 34 of the Indian Penal Code.

It is case of establishing physical relationship forcefully with the victim/informant by the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and committed no offence. He has falsely been implicated in the present case due to ulterior motive of the informant. The victim is a matured lady and according to prosecution case she was in love with the petitioner since last one year and this fact was also stated by the victim in her



statement recorded u/s 164 of Cr.P.C. According to prosecution case a panchayati was held to solemnize the marriage of the victim with the petitioner. Both the parties are in consensual physical relationship. So, this case does not come under the purview of Section 376 IPC. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is also submitted that petitioner is languishing in judicial custody since 06.04.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Rouda P.S. Case No. 49 of 2022 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 Judicial Magistrate 1st Class, Purnea.

(Sunil Kumar Panwar, J)

lata/-

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

