

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61339 of 2023**

Arising Out of PS. Case No.-266 Year-2022 Thana- SURSAND District- Sitamarhi

Sakim Mansoori, aged about 27 years (Male), son of Md. Akhatar Mansuri @  
Md. Akhatar, resident of Village- Kumma, P.S- Sursand, Distt.- Sitamarhi.  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

3      13-12-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with  
Sursand PS Case No.266 of 2022 dated 19.05.2022, instituted  
under Sections 313, 376, 504, 506/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he  
established physical relationship with the prosecutrix on the  
pretext of performing marriage with her. When she became  
pregnant, he gave her some medicines for abortion and  
ultimately marriage of the petitioner has been solemnized with  
another girl.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has been falsely implicated in this  
case. It is further submitted that the informant has alleged the



date of occurrence as 12.07.2017, but she has lodged the case on 19.05.2022 i.e., after about five years. As per the prosecution case, it appears that the petitioner established physical relationship with the informant on the assurance that he would marry her, but subsequently he refused to marry her. When the informant came to know that marriage of the petitioner is going to be solemnized somewhere else this case has been lodged. As a matter of fact, the informant and his family members wanted to perform the marriage of the informant with the petitioner but when the petitioner's family did not agree for the same, this false case has been filed against the petitioner and his family members. There is delay of about five years in lodging the case. It is also submitted that the petitioner and the prosecutrix are major. Lastly, it is submitted that the petitioner has clean antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned



Judicial Magistrate, Pupri, Sitamarhi, in Sursand PS Case  
No.266 of 2022, subject to the conditions laid down in Section  
438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

**(Khatim Reza, J)**

J. Alam/-

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