

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59066 of 2022

Arising Out of PS. Case No.-88 Year-2020 Thana- MAHILA P.S. District- Araria

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NASIM AKHTAR @ NASEEM AKHTAR Son of Abdul Khalik Resident of
village - Basmatiya, P.S.- Narpatganj (Basmatiya O.P.), Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Raj Kishor Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in a case registered for
the offence punishable u/s 376, 323, 341, 506/34 of the IPC and
section 4 of Dowry Prohibition Act.

Allegedly, the petitioner on inducement to marry has
established illicit sexual relationship with the informant and
tried to avoid marriage thereafter. It is further alleged that one
Panchayati was held whereby it was decided that petitioner will
marry the informant but the petitioner refused to marry her
unless and until one motorcycle and cash of Rs.3 Lacs is given.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case merely on suspicion. No



such occurrence, in the manner as alleged, has ever taken place. It is submitted that the victim is a consenting party and on the interference of reputed persons of locality, taking into consideration of their love affair, it was decided that petitioner shall solemnize marriage with the girl and as per the decision, the petitioner solemnized marriage with the victim on 18.09.2020. This fact is also mentioned in para-13 of the bail application. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, in view of para-13 of the bail petition, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Forbesganj (Mahila) P.S. Case No.88 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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