

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63414 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- GADHPURA District- Begusarai

Md. Mirajul @ Md. Mehrajul, S/o- Md. Mustakim, R/o Village- Hirniya, PS-
Rosera Dist- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case instituted for the offences under Sections 341, 323, 376, 493, 504 and 506/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner established physical relationship with the informant on the pretext of marriage and subsequently he reneged on his promise.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.06.2023 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. As per the allegation, the



petitioner is alleged to have established physical relationship on the assurance of marriage. Subsequently, for one reason or the other the marriage could not be solemnized and for the said reason, the present case has been instituted. It has further been submitted that the said relationship was a consensual relationship between the parties. He has placed reliance on cases of the Hon'ble Supreme Court since reported in **2019 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharastra & Ors)** and **(2019) 9 SCC 608 (Pramod Suryabhan Pawar vs. The State of Maharashtra and Ors.)**.

5. On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

6. Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below/court concerned in connection with Gadhpura P.S. Case No. 23 of 2023.

(Sudhir Singh, J)

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