

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64674 of 2022

Arising Out of PS. Case No.-310 Year-2022 Thana- FORBESGANJ District- Araria

MD. SAMIR @ AARIS JATT Son of Md. Jabir R/v- Ghoski, Ward No. - 07,
P.S.- Harin Nagar, Dist- Sunsari (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 376 and 292 (A) of the Indian Penal Code and Section 67 of the I.T. Act.

The allegation against the petitioner is of establishing the physical relationship upon the informant, when the informant told to marry with him, he refused. It is further alleged that he threatened to viral his video on social media and finally he post the same.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He submitted that the statement of the victim has recorded u/s 164 as well as u/s 161 of the Cr.P.C., it shows that on the behest of solemnization of marriage, the victim kept sexual relationship with the petitioner, when the petitioner not solemnized marriage with her, the present case has been lodged against him. He submitted that the victim girl had earlier married with Asrarual Haque, thereafter she got divorced. It is further submitted that the victim is major girl and has consensual relationship with the petitioner, so this case does not come within the purview of the commission of rape. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. The petitioner is languishing in judicial custody since 25.03.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 released on bail in connection with Forbesganj P.S. Case No. 310 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate,
Araria.

(Sunil Kumar Panwar, J)

arish/-

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

