

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7802 of 2023

Arising Out of PS. Case No.-73 Year-2021 Thana- BAKHARI District- Begusarai

MD. EKHLAQUE @ MD. AKHLAK Son of Md. Mehdi Resident of Village-
Chak Hamid, P.S.- Bakhri, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Akhter Hussain

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 14-09-2023 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 366A, 376, 312, 504, 34 of the Indian Penal Code.

As per FIR, on pretext of marriage, petitioner had established physical relation with the victim resulting into her pregnancy. It is further alleged that petitioner has later on refused to marry her.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. During investigation, in para 6 of the case diary, the mother of the



victim stated the age of the victim is about 18 years and it is a case of consensual relationship because the victim was major at the time of occurrence. It is further submitted that victim girl has not given her statement before the Investigating Officer and she totally denied to be medically examined, which has come in para 44 of the case diary. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner has voluntarily surrendered on 16.08.2022 and since then he is languishing in judicial custody.

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 Bakhri P.S. Case No.73 of 2021 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 Chief Judicial Magistrate, Begusarai.

(Sunil Kumar Panwar, J)

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