

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72499 of 2022

Arising Out of PS. Case No.-79 Year-2021 Thana- MAHILA P.S. District- Araria

SAQUIB @ SAKIB Son of Jabbar R/v- Parwa Khuri, P.S.- Tarawari, District-
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. N.K.Agrawal, Sr.Advocate Mr.Dr. Bidhu Ranjan
For the Opposite Party/s :	Mrs.Madhuri Lata,APP Mr.Raj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 08-05-2023 Heard learned senior counsel for the petitioner,
learned A.P.P. as well as learned counsel for the informant.

The petitioner apprehends his arrest in a case registered for the offence under Sections 376(D), 341, 323, 506/34 of the Indian Penal Code.

As per F.I.R., this petitioner established physical relation with the informant on the false promise of marriage. It is further alleged that the parents of the informant solemnised marriage of informant with one Sajid on 14.08.2018, but petitioner again started disturbing informant by sending sexual message on her mobile phone and matter revealed to her husband, thereafter, matrimonial life of informant destroyed. It is next alleged that this petitioner has again sexually assaulted and exploited the informant, on pretext of marriage.



It is submitted on behalf of petitioner that from bare perusal of the F.I.R., it is manifest that both parties enjoyed each other's company for years together and indulged in sexual act for months, same cannot be said to be induced or involuntarily. The relationship was consensual. The informant is major and was very much capable of understanding the consequences of her action. Petitioner has got clean antecedent.

Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail 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 in connection with Araria (Mahila) P.S. Case No. 79 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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