

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7765 of 2024

Arising Out of PS. Case No.-36 Year-2023 Thana- ANGARH District- Purnia

Md. Muntazir Alam @ Muntazir Alam @ Muntajir Son Of Ramkimuddin
Resident Of Village - Tetaliya, Moudha @ Mahadha, P.S. - Kochadhaman,
District – Kishanganj Petitioner/S

Versus

The State Of Bihar Opposite Party/S

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP
For the iNformant : Mr. Vikram Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner, informant
and the State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 376 of the Indian Penal
Code.

3. It is alleged that this petitioner on the false promise
of marriage committed sexual assault with minor daughter of
the informant.

4. It is submitted that both parties are adult and
according to medical report the age of the victim is 22 years and
no sign of sexual assault was found. It is a case of consensual
relationship. Both of them were in relation for quite sometime
which cannot be said to be induced or involuntary. The alleged
occurrence is of 21.04.2023 but the complaint has been lodged
on 27.08.2023 i. e., after delay of about four months which itself



creates doubt over the veracity of the entire prosecution .
Petitioner claims clean antecedent.

5. Learned counsel for the State and informant
opposes the bail petition of the petitioner.

6. Considering the criminal antecedent of the
petitioner and other circumstances of the case, in the event of
arrest or surrender within six weeks from today, let the
petitioner, as named above, 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 the learned Additional
Sessions Judge – VII-cum-SPECIAL Judge (POCSO), Purnea in
connection with Angrah P.S. case No. 36 of 2023 , subject
to the conditions laid down under section 438(2) of the Code of
Criminal Procedure.

(Prabhat Kumar Singh, J)

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