

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15639 of 2024**

Arising Out of PS. Case No.-48 Year-2023 Thana- MAHILA P.S. District- Purnia

Md. Mahtab Raza @ Dolu S/o- Md. Shafi Ahmad village- Kukron Amari PS-  
Dhamdaha, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Alka Singh, Kumari Chandna, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      14-03-2024                      Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 376, 506 of the Indian Penal Code and Section 4 / 6 of the POCSO Act.

3. As per the prosecution case, on the false promise of marriage, the petitioner established physical relation with the victim, resulting in her pregnancy, and thereafter, he refused to marry her.

4. It is submitted on behalf of petitioner that from bare perusal of the F.I.R., it is apparent that both parties were in relationship for quiet some time. They enjoyed each others company for one year together and indulged in sexual act, same cannot be said to be induced or involuntarily. The relationship was consensual. The informant was very much capable of understanding the consequences of her action. Petitioner has got clean antecedent.



5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail.

6. 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 VIth Additional Sessions Judge-cum-Special Judge (POCSO Act), Purnea in connection with Mahila P.S. Case No. 48 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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