

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15298 of 2024

Arising Out of PS. Case No.-213 Year-2023 Thana- HARLAKHI District- Madhubani

Md Jahid Hussain Son of Md. Sultan Rayeen Resident of vill.-Sohpur, P.S.-
Harlakhi, Distt.-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s	:	Mr. Rajendra Singh, A.P.P.
For the Informant	:	Ms. Kumari Nidhi, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 01-05-2024 Heard learned counsel for the petitioner, informant
and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 376, 420, 341, 323, 504, 506/34 of the Indian Penal Code and Section 66 (E) of the Information Technology Act.

3. Prosecution case, in brief, is that this petitioner physically exploited the informant on false promise of marriage.

4. It is submitted on behalf of the petitioner that no occurrence, as alleged, has ever taken place and prosecution case is false and concocted and there is delay in lodging the F.I.R. It is further submitted that from bare perusal of the F.I.R. it is apparent that when the friendship developed between the



parties, the informant was major. The relationship was consensual they enjoyed each other's company for two years and as such it cannot be said that it was induced or involuntary. Moreover, the victim in her statement recorded under Section 164 Cr.P.C. has stated that no rape was committed upon her and she also refused to get examined by the medical board. Petitioner has got clean antecedent.

5. Learned counsel for the informant vehemently opposed the bail application.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 Additional Sessions Judge-VII cum Special Judge (POCSO Act), Madhubani in connection with Harlakhi P. S. Case No. 213 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Navya/-

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

