

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36419 of 2024

Arising Out of PS. Case No.-216 Year-2023 Thana- GHANSHYAMPUR District- Darbhanga

Sadre Alam @ Md. sadre Alam Son of Late Ghuran Resident of Village-
Basauli, P.S- Ghanshyampur, Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar Patna
2. Najo Khatoon Wife of Md. Chhotai Resident of Village- Basauli, P.S-
Ghanshyampur , Dist- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 376/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case, It is alleged that the petitioner, on the pretext of marriage, committed rape upon the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. He submits that the petitioner has solemnized marriage with the daughter of the informant, in this regard informant filed a petition before the learned Court below (Annexure-P/2 of this application). Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that the petitioner has already solemnized marriage with the daughter of the informant, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Ghanshyampur P.S. Case No. 216 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned Court below is directed to verify the fact that petitioner has solemnized marriage with the daughter of informant. If it is found that the petitioner has not



solemnized marriage with the daughter of the informant, his bail
bond shall not be accepted.

(Anjani Kumar Sharan, J)

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