

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39871 of 2024

Arising Out of PS. Case No.-111 Year-2024 Thana- RAMNAGAR District- West Champaran

Akbar Ansari Son Of Subhan Ansari Village- Narwal Barwal Ps- Patkhoul
Dist- West Champaran

... .. Petitioner/S

Versus

1. The State of Bihar
2. Aamna Khatoon Daughter Of Late Bakaridan Ansari Village- Bhawal, Ps-
Ram Nagar, Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Adv

For the Opposite Party/s : Ms. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 14-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ramnagar P.S. Case No. 111 of 2024 dated 19.03.2024 registered for the offences punishable u/s 363, 366, 376 of the I.P.C.

3. As per the prosecution case, the petitioner is alleged to have established physical relationship with the informant on the pretext of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the victim is a major girl aged



about 19 years. It is further submitted that no one has kidnapped the victim rather she went to the Kashmir with the petitioner with her own will. As per the statement of the victim girl recorded u/s 164 of the Cr. P.C., there was love affair between the petitioner and the victim and they established their physical relationship with their own consent. The charge sheet has already been submitted. Learned counsel for the petitioner placed reliance on the judgment in the case of **Mandar Deepak Pawar Vs. State of Maharashtra & Anr. (Criminal Appeal No. 442 of 2022)** in which “a distinction was made between a false promise to marriage which is given on understanding by the maker that it will be broken and a breach of promise which is made in good faith but subsequently not fulfilled”. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the



like amount each to the satisfaction of learned Court concerned,
West Champaran in connection with Ramnagar P.S. Case No.
111 of 2024, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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