

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54516 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- PURUSHOTTAMPUR District- West
Champaran

Amjad Miya, Son of Bhola Mian @ Bhola Ahmad, R/O Village -
Purushottampur, P.S.- Purushottampur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Zainul Abedin, APP
For the informant	:	Mr. Sujeet Kumar
		Mr. Ravi Ranjan Mallick

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 27-09-2024 Heard learned Counsel for the petitioner, learned
Counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Purushottampur Police Station Case No. 10 of 2024, registered
for the offences punishable under Sections 341, 323, 376, 504,
34 of Indian Penal Code.

3. The prosecution case, as per the First Informant
Report, is that the petitioner established physical relationship
with the informant on the pretext of marriage.

4. Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and has falsely been implicated in this case due to fact that both



the parties are next door neighbour and there is rivalry between the two. He further submits that the informant is major, aged about 21 years and the petitioner is also of the same age group. The petitioner did not make any promise to solemnize marriage with the informant and when the informant came to know about the marriage of the petitioner, this false case has been lodged to pressurize the petitioner to solemnize marriage with her.

6. On the other hand, learned counsel for the informant opposes the bail application and submits that the petitioner obtained consent of the informant by misrepresenting the fact and on the basis of promise to marry with the informant. The consent obtained by the petitioner on a false promise is not a consent in the eyes of law. From the very beginning, the intention of the petitioner was not to perform marriage with the informant and he continued to sexually exploit the informant.

7. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner as well as the informant is major, there is no apprehension that the petitioner will abscond and/or temper with the evidence, the petitioner is in custody since 30.05.2024 and charge-sheet has already been submitted, I am inclined to grant regular bail to the petitioner.



8. This application is, accordingly, allowed.

9. Let the petitioner, above named, be released 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 Judicial Magistrate, 1st Class, Bettiah, West Champaran, in connection with Purushottampur Police Station Case No. 10 of 2024.

(Anil Kumar Sinha, J)

Jyoti Kumari/-

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