

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55778 of 2024**

Arising Out of PS. Case No.-417 Year-2023 Thana- DAGARUA District- Purnia

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Sahrul @ Shakil SON OF ABDUL KALAM VILLAGE- MILIK TOLA, PS-  
BAISI, DIST- PURNEA

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sajeda Khatoon Daughter Of Shakur Village- Zhuri Ghat, Ps- Dagarua, Dist-  
Purnea

... .. Opposite Party/s

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**Appearance :**

|                            |                            |
|----------------------------|----------------------------|
| For the Petitioner/s :     | Mr.Dhaneshwar Prasad Gupta |
| For the Opposite Party/s : | Mr.Narsingh Tanti          |
|                            | Md. Helal Ahmad            |

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

4      18-09-2024                      1.      Heard learned counsel for the petitioner, learned  
  
A.P.P. for the State and learned counsel appearing on behalf of  
  
the OP No. 2.

2.      The petitioner apprehends his arrest in a case  
  
registered for the offences punishable under Sections 498A,  
  
420, 504, 506, 376 and 34 of the Indian Penal Code.

3.      Learned counsel for the petitioner submits that  
  
petitioner is a person with clean antecedent and informant  
  
alleges that on 30-3-2022 at 9 PM, the petitioner forcefully  
  
entered the house, and against the will of the informant raped  
  
her on point of knife, hence informant started weeping when  
  
neighbours came and apprehended the petitioner and got him



married to the informant in the night itself in accordance with Muslim customs, further when the informant went to the house of the petitioner along with her relatives and disclosed about the occurrence of rape and marriage, she was abused and ousted, it is further alleged that the family members of the petitioner started demanding dowry or Rs. 5 lakh for legitimising the marriage, also alleges that petitioner was married from before.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is also submitted that from perusal of allegation as alleged in the FIR, it would manifest that the case though has been instituted under Section 376 of the IPC read with other Sections of the IPC but then is also instituted under Section 498A of the IPC, it is further submitted that petitioner does not deny the factum of marriage but then since his parents were objecting the marriage as such the present false case came to be instituted. It is also submitted that presently informant is staying with the petitioner.

5. The learned counsel appearing on behalf of the OP No. 2 does not dispute the said submission of the learned counsel appearing on behalf of the petitioner that informant is residing with the petitioner but then apprehends that petitioner



may again oust her, on which learned counsel appearing on behalf of the petitioner submits that petitioner will keep the OP No. 2 with honour and dignity.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Dagarua P.S. Case No. 417 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

SUMIT/-

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