

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53762 of 2024

Arising Out of PS. Case No.-336 Year-2023 Thana- BAHADURGANJ District- Kishanganj

Shamshad Alam S/O Samiruddin @ Bittu R/O Village- Tangtangi, Ward No. 4, Panchayat Nishandra, P.S- Bahadurganj, Dist.- Kishanganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Bahadurganj P.S. Case No. 336 of 2023 dated 26.09.2023, instituted for the offence punishable under Sections 323, 341, 354B, 417, 504, 506 read with Section 34 of the Indian Penal Code.

3. The allegation against the petitioner is that he established sexual relationship with the informant on the pretext of marriage and thereafter he is not performing marriage with her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that all Sections are bailable in



nature except Section 354 B of the I.P.C. It is next submitted that as per the FIR, the present case has been lodged after 1 ½ years of occurrence without any plausible explanation. It is also submitted that there is no cogent material against the petitioner rather the assertion made in the FIR is false and concocted. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Bahadurganj P.S. Case No. 336 of 2023, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Kishanganj, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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