

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59015 of 2024

Arising Out of PS. Case No.-22 Year-2023 Thana- AMAUR District- Purnia

Julfekar aged about 23 years (M) son of Nuruddin, Village- Bangama, P.S.-
Amour, Dist- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Taibyana aged about 22 years (F) D/o- Md. Mohit, Village- Bangama, PS-
Amour, Dist- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Amour P.S. Case No. 22 of 2023 dated 17.01.2023, instituted for
the offence punishable under Sections 376/34 of the Indian
Penal Code.

3. The allegation against the petitioner is that he
established physical relation with the informant on the pretext of
getting married and asked the informant not to disclose the same
to anyone.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is submitted that the entire allegation against the petitioner is false and concocted. On perusal of the impugned order it seems that on the pretext of marriage, the petitioner established physical relationship with the informant. It is submitted that the informant is a major girl aged about 22 years. After investigation, the police submitted final form. But, the learned Magistrate took cognizance differing from the final form. It is submitted that the informant has not been examined by the Medical Officer as she refused to get her examined. It is submitted that the informant pressurized the petitioner for getting married but the petitioner did not get ready to marry with the informant. The petitioner is major aged about 23 years. This false case has been lodged by the informant against the petitioner and his family members. The informant was examined by the Judicial Magistrate and her statement was recorded under Section 164 Cr.P.C. in which she has supported the entire allegation against the petitioner. Lastly, it has been submitted that he has no criminal antecedent.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for bail of the petitioner and submitted that there is specific allegation against the petitioner in the F.I.R. as well as in the statement recorded



under Section 164 Cr.P.C.

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

7. 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 Amour P.S. Case No. 22 of 2023, he 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 Judicial Magistrate-Ist Class, Purnea, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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