

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3477 of 2025

Arising Out of PS. Case No.-40 Year-2024 Thana- MAHILA P.S. District- Muzaffarpur

Md. Mobin S/o- Md. Zabir Vill- Tehwara, Ps-Katra, Dist- Muzaffarpur
... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbuda Khatoon D/o- Md. Fareed Vill- Tehwara, Ps-Katra, Dist- Muzaffarpur
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kanupriya Singh, Adv.
For the Opposite Party/s : Mr. Uday Chand Prasad, APP
For the Informant : Mr. Md. Murad Ashraf, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel for the State .

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under sections 341, 323, 376, 504,
506,34 of the Indian Penal Code.

3 . The prosecution case, as per the First Information
Report is that informant and the petitioner were in love affair
with each other. It is alleged that the petitioner sexually abused
informant on the pretext of marriage. When the informant's
family members came to know about the relationship they asked
the petitioner to marry their daughter. On this, the petitioner
refused and threatened them of dire consequences.

4. It is submitted on behalf of the petitioner that
petitioner is innocent and has committed no offence as alleged.



From bare perusal of the F.I.R., it is apparent that at the time, when relationship developed between the parties, they were major. Both the parties were well aware of the consequences of such relationship. The informant and her family had instituted the present FIR in order to put pressure upon the petitioner to solemnize marriage with their daughter. Petitioner claims clean antecedents.

5. Learned counsel for the State and learned counsel for the informant opposed the bail petition .

6. Considering the aforesaid facts, clean antecedent of the petitioner and other circumstances of the case, this bail application is allowed. In the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge-III, POCSO, Muzaffarpur in connection with Muzaffarpur Mahila P.S. Case No. 40 of 2024,subject to the conditions laid down under 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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