

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70824 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- MAHALGAON District- Araria

Akhtar @ Akhter son of Late Fatkan R/o Village-Ghorman, Ward No 02 P.S.-
Mahalgaon, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kanchan Jha, Advocate
For the Opposite Party/s : Mr. Anil Kumar, A.P.P.
For the Informant : Mrs. Kusum Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-01-2025 Heard learned counsel for the petitioner, informant
and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 376, 420 of the Indian
Penal Code.

3. According to F.I.R., this petitioner established
physical relationship with the informant on pretext of marriage
and when informant asked to marry, he refused to do so and
threatened to kill the informant.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner and informant were in physical
relationship for about a year and the same was consensual.



Informant is major and is well aware of the consequences of such relationships as such, petitioner cannot be held liable. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application.

6. Considering the backdrop of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, 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 Chief Judicial Magistrate, Araria in connection with Mahalgaon P. S. Case No. 40 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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