

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75869 of 2024

Arising Out of PS. Case No.-176 Year-2024 Thana- BANMANKHI District- Purnia

Md. Gulzar Ahmad @ Gulzar Ahmad Son of Mahiuddin @ Mehhaddin Ahmad Resident of Village- Akarthapa, Birnagar Ward No. 09, P.S.- Bhargama, District-Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Asmin Khatoon Wife of Md. Gulzar Ahmad @ Gulzar Ahmad Resident of Village- Birnagar Bishariya, P.S.- Bhargama, District-Araria

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Navjot Yesu, Advocate
For the State	:	Mr. Umeshanand Pandit, APP
For Opposite Party No.2	:	Mr. Kundan Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 376 of the Indian Penal Code.

3. As per prosecution case, it is alleged that on the false pretext of marriage, this petitioner established physical relations with the victim.

4. It is submitted by learned counsel appearing on behalf of the petitioner that during pendency of this case, with the intervention of well wishers of the parties, the dispute between the parties has already been resolved and petitioner has already solemnized marriage with the informant on 18.05.2024 at Harchurwa in presence of Kazi Khatib Mashjid and a



certificate in this regard has also been issued, copy of which is Annexure-P/2 to the instant bail application. Petitioner claims clean antecedents.

5. Learned counsel appearing on behalf of the informant/Opposite Party No. 2 does not controvert the statement made on behalf of the petitioner and confirms the fact regarding settlement entered into between the parties.

6. Considering the aforesaid facts and circumstances, settlement between the parties and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned Additional Chief Judicial Magistrate-1st Class, Purnea, in connection with Banmankhi P.S. Case No. 176 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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