

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88093 of 2024

Arising Out of PS. Case No.-311 Year-2024 Thana- AMAUR District- Purnia

Ashik s/o Rafik Resident of Namua PS- Amour District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
	:	Mr. Md Fazle Karim, Advocate
	:	Ms. Diksha Kumari, Advocate
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 24-03-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Amour P.S. Case No. 311 of 2024 instituted for the offences under Sections 341, 323, 376, 504 of the Indian Penal Code.

3. Accusation against the petitioner is of establishing physical relations with the victim on the pretext of marriage.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that from perusal of the Statement of the victim recorded under Section 164 of the Cr.P.C., it appears that there was love affair between the petitioner and the victim. Learned counsel further submitted that



informant/victim has lodged the the present case in order to put pressure on the petitioner to perform marriage with the petitioner. Learned counsel further submitted that police after investigation submitted charge-sheet under Sections 341, 323, 354, 504, 506/34 of the Indian Penal Code. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.09.2024 and has two criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, charge-sheet being submitted under Sections 341, 323, 354, 504, 506/34 of the Indian Penal Code as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Amour P.S. Case No. 311 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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