

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48562 of 2021**

Arising Out of PS. Case No.-28 Year-2021 Thana- MAHILA P.S. District- Bhojpur

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Seraj Ansari S/O Altaf Ansari R/O Village-Purdilganj, P.O- Kayam Nagar,  
Police Station - Koilwar In The District Of Bhojpur ... .. Petitioner

Versus

The State Of Bihar ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar  
For the Opposite Party/s : Mr.Nawal Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      30-11-2021              Heard learned counsel for the petitioner, the State and the informant.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 376 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, informant's marriage was earlier solemnized in 2018 with elder brother of the petitioner and when she knew that her husband is a man of unsound mind, petitioner and his family members requested her to stay in the house on the assurance that she would be married to the petitioner. Thereafter, victim did not return to her parental house and petitioner started to live with her as husband and wife and a child was also born from them. Informant alleges that on 21.11.2020 the petitioner married some other girl and started torturing her. He also destroyed her clothes and



furniture.

Learned counsel for the petitioner submits that in fact the informant is major and after marriage she started offering one sided love with the petitioner which was never accepted by the petitioner and other family members leading to filing of the instant false case. Petitioner is in custody since 19.4.2021. Charge sheet has already been submitted.

Learned counsel appearing for the State and the informant oppose the prayer for bail. They submit that on the pretext of marriage, petitioner made physical relation with the victim.

Considering the rival submissions of the parties, materials available on the record and the fact that the victim is major and the charge sheet has already been submitted, prayer for bail of the petitioner is allowed. 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 Sub Divisional Judicial Magistrate, Bhojpur at Ara in Ara Mahila Police Station Case No. 28 of 2021.

**(Prabhat Kumar Singh, J)**

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