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Md. Reyaz Vs. the State of Bihar

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Court : Patna

Decided On : May-19-2012

Appellant : Md. Reyaz

Respondent : The State of Bihar

Judgement :
IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.2683 of 2012 Md. Reyaz, son of Md. Israil, resident of Village- Bherokhra, P.S. Tajpur, District- Samastipur. ..Petitioner. Versus The State of Bihar .Opposite Party. ---------- 2.

19. 01. 2012. Heard learned counsel for the petitioner and learned counsel for the informant as also learned counsel for the State. The petitioner is apprehending his arrest in connection with Samastipur Nagar (Mufassil) P.S. Case No. 621 of 2010, registered under Sections 420, 406, 376, 504 and 120B of the Indian Penal Code. It is alleged that husband of the complainant died. Thereafter, she was appointed as Agan Bari Sevika and started living at New Colony Dharampur. It is further alleged that she came in contact with the petitioner. She gave money to the petitioner for opening a shop for his livelihood and it is alleged that in the meantime intimacy has grown up between the complainant and the petitioner. She permitted the petitioner to have sexual intercourse on pretext that he will marry and said relationship continued. It is alleged that after taking money, the petitioner is not ready to return the money even he refuse to marry the 2 complainant. However, the complainant is not minor and she is well versed lady. Hence when

she alleged to have sexual intercourse with the petitioner she must have known the consequence and not reporting the matter at the earliest when there is sufficient opportunity. Having regard to the facts and circumstances of the case, the above named petitioner in the event of his arrest/surrender within a period of four weeks from today, the petitioner shall 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 Chief Judicial Magistrate, Samastipur, in connection with Samastipur Nagar (Mufassil) P.S. Case No. 621 of 2010, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. m.p. (Gopal Prasad, J.)

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