

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.52731 of 2016**

Arising Out of PS.Case No. -56 Year- 2016 Thana -PURNIA COMPLAINT CASE District-  
PURNIA

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1. Moulana Mofil @ Md. Mofil Hussain, S/o- Nizamuddin, Resident of  
Village- Singhia Thathol, P.S.- Dagrua, District- Purnea.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Jannati Khatoon, D/o- Abdul Mobin, Resident of Village- Singhia  
Thathol, P.S.- Dagrua, District- Purnea.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      22-12-2016                      Heard learned counsel for the petitioner as well as  
learned APP for the State.

The petitioner seeks anticipatory bail in connection  
with Complaint Case No. 56 of 2016 instituted for the offences  
punishable under Sections 376, 323, 504 and 506 of the Indian  
Penal Code.

It has been submitted on behalf of the petitioner that  
a complaint case against the petitioner has been filed by the  
complainant for committing rape of the informant as the  
petitioner raped her and she became pregnant. It has further  
been submitted that there is nothing on record to show the  
alleged incident and there is no medical evidence on record



either commission of rape or her pregnancy.

The learned APP also has controverted the aforesaid facts.

Having heard both sides, in view of the facts stated above, let the petitioner surrenders before the court below and the court below shall verify the medical report regarding commission of rape or her pregnancy and considering this aspect of the matter, learned court below shall dispose of the bail application on the same day.

With above observation, this application is dismissed.

**(Vinod Kumar Sinha, J)**

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