

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51134 of 2016**

Arising Out of PS.Case No. -66 Year- 2016 Thana -AWADPUR District- KATIHAR

=====

Md. Nazim @ Md. Nazim Hussain, Son of Md. Arzaque Hussain, resident  
of village - Maltipur, P.S. Abadpur, District - Katihar

.... .... Petitioner/s

Versus

The State of Bihar

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

=====

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      29-11-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case  
instituted under Sections 384, 376/34 of the Indian Penal Code.

Allegation against petitioner is to have established  
physical relationship with daughter of informant on the pretext of  
marriage.

It is submitted on behalf of petitioner that he has falsely  
been implicated in the present case. There is no allegation of  
tampering of witnesses against him. Petitioner denies the  
allegation made in the F.I.R.

On behalf of the State, it is submitted that petitioner is  
named in the F.I.R. There is specific allegation of commission of  
rape against petitioner. The victim has become pregnant. The  
rape was committed on the pretext of getting married with the  
victim.

Considering the aforesaid facts and circumstances, I am  
not inclined to grant anticipatory bail to the petitioner, same is  
rejected.

Any how, if petitioner surrenders in the court below, i.e.,



Judicial Magistrate, Ist Class, Katihar, in connection with Abadpur P. S. case no. 66 of 2016 within a period of six weeks and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

**(Sudhir Singh, J)**

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