

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1891 of 2017**

Arising Out of PS.Case No. -98 Year- 2016 Thana -AMAU District- PURNIA

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Md. Mokim @ Md. Mokis, Son of Late Hakimuddin, Resident of Village-  
Parsarai, P.S. Amour District Purnea

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate.

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**

**ORAL ORDER**

2      27-01-2017                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with  
  
Amour P.S. Case No. 98 of 2016 registered under Section 376/34  
  
of the Indian Penal Code.

The accusation is that one year back this petitioner  
  
committed rape at the informant, who was at her cattle house  
  
alone. When she started to cry then this petitioner assured to  
  
perform the marriage and thereafter petitioner developed physical  
  
relation with the informant, on which, she conceive pregnancy.  
  
When the informant asked the petitioner to perform the marriage  
  
then he did not take any step. On 28.07.2016, the petitioner called  
  
the informant at his house and tried to administer medicine for  
  
abortion of her pregnancy then she raised alarm, on which, her



parents rushed there. Her parents arranged Panchayat, in which, petitioner and his family members refused to perform the marriage with her.

Learned counsel for the petitioner submits that, in fact, petitioner is the neighbor of the informant and he used to do the job in Punjab but with ulterior motive the present case has been lodged with false allegation to give pressure to the petitioner to perform the marriage with the informant. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VI, Purnea, in connection with Amour P.S. Case No. 98 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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