

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32441 of 2017

Arising Out of PS.Case No. -137 Year- 2016 Thana -SURSAND District- SITAMARHI

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Md. Shahid, S/o Md. Rasid, Resident of Village- Kamaldah, P.S. Bathnaha,
District Sitamarhi.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.
For the State : Mr.
For the Informant : Mr.

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

3 10-08-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioner apprehends his arrest in connection with
Sursand P.S. Case No.137 of 2016 registered under Sections 341,
323, 365, 366 and 376 of the Indian Penal Code, pending in the
court of the Sub Divisional Judicial Magistrate, Pupri at Sitamarhi.

The accusation is that this petitioner used to visit the
matrimonial house of his sister where he developed relation with
the complainant/informant Najini Khatoon and enticed her away
on the pretext to perform 'Nikah' and he kept the
complainant/informant at Gujarat and forcibly developed physical
relation with her without performing 'Nikah'. When the



complainant/informant conceived pregnancy and asked the petitioner to perform 'Nikah', then the petitioner refused to perform 'Nikah' with her.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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