

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23768 of 2017

Arising Out of PS.Case No. -234 Year- 2016 Thana -BAHADURGANJ District- KISANGANJ

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Md. Muzammil @ Muzammil, son of Shafique Alam, resident of village
Gorumara, P.S. Kodhobari, District Kishanganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-05-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Bahadurganj P.S.Case No. 234 of 2016, corresponding to G.R.No.
1828 of 2016, registered for the offences punishable under
Sections 376, 313 and 511 of the Indian Penal Code.

Allegation against the petitioner is that he has
committed rape upon the informant on the pretext of marriage.
Further allegation is that when she became pregnant petitioner
gave her some medicine and after taking the medicine fetus was
destroyed and petitioner was not ready to marry her.

It has been submitted on behalf of the petitioner that
informant was consenting party and furthermore informant has
married the petitioner and they are living happily.

Heard learned APP also.



Having heard both sides and considering the aforesaid facts and circumstances, this application is being disposed of with the direction to the court below to get the informant examined and enquired about the fact that she has married or not and on its satisfaction bail shall be granted to the petitioner.

(Vinod Kumar Sinha, J)

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