

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41928 of 2018

Arising Out of PS.Case No. -41 Year- 2017 Thana -MAHILA P.S. District- ARRARIA

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1. Md. Imtiyaz Alam @ Imtiyaz S/o Late Hasib, R/o Vill.- Masuria Tola,
Khikharmani Ward No. 6, Garki, P.S.- Jokihat, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Najbin D/o Baharuddin, R/o Vill.- Rahazia, P.S.- Jokihat, District-
Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anamul Haque
For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-08-2018 The petitioner is apprehending his arrest in connection
with Araria Mahila P.S. Case No. 41/2017, registered for offences
punishable under Sections 376, 313, 504/34 of the Indian Penal
Code.

Allegation against the petitioner is that on the pretext of
marriage, he committed rape upon the informant and when she
became pregnant, the petitioner got her pregnancy miscarried
and also threatened the informant.

Submission of learned counsel for the petitioner is that
witnesses have not supported the prosecution case and the
petitioner has been falsely implicated in this case. It has further
been submitted that petitioner is married person and informant



herself is a married woman and further the medical examination of the girl does not support the allegation.

Learned counsel for the State opposed the prayer for anticipatory bail of the petitioner by stating that the prosecutrix has named the petitioner in her statement recorded under Section 164 of Cr.P.C.

Having heard both sides, considering the facts and circumstances as well as the nature of allegation, I am not inclined to grant privilege of anticipatory bail to the petitioner rather he should surrender before the court below and pray for regular bail, which will be considered on the merit of this case.

(Vinod Kumar Sinha, J)

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