

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4408 of 2019

Arising Out of PS. Case No.-41 Year-2018 Thana- MAHILA P.S. District- Araria

MD. ABU NASAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-03-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Araria (Mahila) P.S.Case No. 41 of 2018, registered for offences punishable under Sections 376 and 313/34 of the Indian Penal Code.

As per F.I.R., allegation against the petitioner is that on the pretext of marriage the petitioner has established several time sexual relationship with her, due to that she became pregnant and when her parents told about marriage to the parents of the petitioner, he denied to marry with the informant and he had provided the medicine of her miscarriage and the petitioners are named in the F.I.R.

Submission of the learned counsel for the petitioner is that the petitioner has falsely been implicated in this case and



the medical report does not show any miscarriage and the petitioner was earlier filed an Informatory petition before the Court of learned S.D.J.M. Araria due to dispute regarding construction house over the land of the petitioner by the informant's side and the petitioner has no criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named, in the event of his arrest or surrender, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each in connection with Araria (Mahila) P.S. Case No. 41 of 2018 (G.R. NO. 1298/2018), Sub Divisional Judicial Magistrate, Araria , subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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