

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10973 of 2019

Arising Out of PS. Case No.-47 Year-2014 Thana- MAHILA P.S. District- Araria

MD. ISHTIYAQUE @ MD. ISHTIYAQUE AHMAD, Son of Md. Mansoor
@ Mansoor Alam @ Mansoor, R/o village- Jhamta, P.S.- Tarabari, Dist.-
Araria

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 16-05-2019 Petitioner seeks bail in anticipation of his arrest in connection with Araria Mahila P.S. Case No. 47 of 2014 registered for the offences punishable under Sections 376 and 120B of the Indian Penal Code.

Allegation against the petitioner is that he has forcibly committed rape upon the informant and thereafter given assurance to marry her and when she became pregnant, he tried to abort her pregnancy also and petitioner has also not married with the informant.

Submission of learned counsel for the petitioner is that independent witness has stated that she was residing at Nagaland, where she became pregnant and petitioner has falsely been implicated in this case.



Heard learned APP, who has opposed the prayer for anticipatory bail stating that materials have come against the petitioner during investigation and matter for DNA test is also under consideration.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. Hence, this application is dismissed.

(Vinod Kumar Sinha, J)

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