

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20793 of 2019

Arising Out of PS. Case No.-11 Year-2018 Thana- MAHILA P.S. District- Purnia

MD. HABIBUL @ MD. HEBUBUR, Son of Md. Nadim @ Md. Najir,
resident of village-Gethora B Chandpur Durganganj, P.S.- Kadwa, District-
Katihar. Pin-855105

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Rabindra Nath Tiwari, Advocate. Mr. Rakesh Kumar Jha, Advocate.
For the State	:	Mr. Yogendra Kumar Singh, A.P.P.

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

ORAL ORDER

4 02-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Mahila P.S. Case No.11 of 2018/GR 924 of 2018 registered
under Sections 376 and 420 of the Indian Penal Code.

The accusation is that the petitioner used to visit in the
village of the informant Chain Bano as the house of the
maternal uncle of the petitioner was in the village of the
informant. In that course, the informant fell in love with the
petitioner and the petitioner made physical relation with the
informant giving allurements of performing the marriage. In the
meantime, the informant conceived pregnancy and when the



informant informed the petitioner about conceiving pregnancy, the petitioner fled away to Keral. When the matter was disclosed by the informant to the family members of the petitioner, then Ekramul, Badruddin and Nooralam started to abuse the informant.

Learned counsel for the petitioner submits that, admittedly, the petitioner used to visit in the village of the informant as the house of the maternal uncle of the petitioner was in the village of the informant but with an ulterior motive, the informant has lodged this case with false allegation. In fact, the informant is married lady and she had also lodged Sadar (Muffasil) P.S. Case No.180 of 2017 under Sections 458, 384, 354, 323, 504, 506 and 120(B) of the Indian Penal Code on 10.04.2017 in which she has very clearly stated that she is married lady, which would appear from Annexure-2 to this application.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnia,



in connection with Mahila P.S. Case No.11 of 2018/GR 924 of
2018, subject to the conditions laid down under Section 438(2)
Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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