

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21790 of 2019

Arising Out of PS. Case No.-695 Year-2015 Thana- COMPLAINT CASE District-
Kishanganj

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Md Shakir, aged about 48 years, Male, S/o Md. Rabijur, Resident of Panisal,
P.S.- Kishanganj, District- Kishanganj

... .. Petitioner

Versus

1. The State of Bihar
2. Mansura Khatoon, D/o Abdul Naushad, aged about 25 years, resident of Panisal, Post- Singhia, P.S.- Kishanganj, District- Kishanganj.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar
For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-04-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Complaint Case No. C-695 of 2015,
registered for the offence under Section 376 and 313 of the
Indian Penal Code.

Allegation has been made that without the consent
of the complainant, the petitioner has entered into the sexual
relationship with her on the assurance of marriage and in that
course, the complainant became pregnant, but the same was
terminated.

Learned counsel for the petitioner submits that the



complaint filed by the complainant was rejected on the ground that it is a false case, but on Revision, the case was remanded back and the Court below has taken cognizance.

From the statement of the girl recorded under Section 164 of the Cr.P.C. it appears that it was a consensual sex.

Looking to the aforesaid facts, let the above-named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kishanganj, in connection with Complaint Case No. C-695 of 2016, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

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