

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30395 of 2019

Arising Out of PS. Case No.-83 Year-2016 Thana- MAHILA P.S. District- Araria

MD. MARGUB @ MARJUB ALAM Son of Mohsin Resident of Village -
Arraha, P.S.- Forbesganj, Dist.- Araria ... Petitioner
Versus

1. The State of Bihar
2. Rizwana Khatoon Daughter of Md. Jamil Resident of Village - Aharaha,
P.S.- Forbesganj, District - Araria
... ... Opposite Party

Appearance :

For the Petitioner	:	Mr.Ramesh Kumar Singh, Advocate
For the State	:	Mr.Uday Pratap Singh, Addl Public Prosecutor
For the opp.party no.2.	:	Mr. Rana Vikram Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-09-2019 Heard learned counsel for the petitioner, the State and
perused the case diary.

Petitioner apprehends his arrest in a case registered for the offence under sections 376/506/34 of the Indian Penal Code on the allegation that he was continuously making physical relation with the opposite party no.2 for last seven months on the allurement of solemnizing marriage with her and when she became pregnant and gave birth to a child, the petitioner refused to fulfil his commitment.

Learned counsel appearing for the petitioner submits that the victim is major and the alleged relation appears to be consented.

Learned counsel for the opposite party no.2 opposes



the prayer for bail and submits that there is allegation against the petitioner that he repeatedly committed rape on the victim on giving her false assurance of marriage.

In the facts and circumstances of the case as well as in view of nature of allegation, prayer for anticipatory bail of the petitioner is refused with direction to surrender and seek regular bail within a period of six weeks from today, which would be disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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