

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42658 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- MAHILA P.S. District- Araria

Sahjahan @ Md. Sahjahan Shamim Son of Shamim Resident of Village -
Pechaili, P.S. - Palasi, District - Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.N.K. Agrawal, Senior Advocate Mr.Vijay Anand, Advocate
For the State	:	Mr.Gulnar Begum, A.P.P.
For the Informant	:	Mr.Dr.Amrendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 18-12-2019 Heard learned Senior Counsel for the petitioner and
learned A.P.P. for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Mahila P.S. Case No. 23 of 2019
registered for the offences punishable under Sections 376, 506
of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

Learned Senior Counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that it is a case of false
implication of the petitioner and his family because of land
dispute which is going on between the petitioner's family and
the informant's father and in which the informant's father has



illegally occupied the land of the petitioner's family and further that the informant is herself a married woman with one Md. Abdullah in the year 2016, she is adult and nothing has come in course of investigation that she had got divorced from her husband.

Learned counsel for the informant has opposed the prayer for bail.

Considering the facts and circumstances of this case that there are allegations against the petitioner of establishing physical relationship with the victim girl on the pretext of marriage, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

The contention of learned Senior Counsel for the petitioner that it is a case of false implication of the petitioner and his family because of land dispute which is going on between the petitioner's family and the informant's father and in which the informant's father has illegally occupied the land of the petitioner's family and further that the informant is herself a married woman with one Md. Abdullah in the year 2016, she is adult and nothing has come in course of investigation that she had got divorce from her husband, may be considered by the court below if the petitioner surrenders and prays for regular



within a period of four weeks from today, the prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

vats/ved

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