

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73823 of 2019

Arising Out of PS. Case No.-47 Year-2018 Thana- MAHILA P.S. District- Araria

MD. SHAHNAWAZ HUSSAIN @ MD. SHAHNAWAZ S/o Md. Shafi R/o
village- Domariya Ward No. 02, P.S.- Raniganj, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Araria (Mahila) P.S. Case No. 47/2018 registered under Sections 376/34 of the Indian Penal Code, pending in the court of learned S.D.J.M., Araria.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case with some ulterior motive, however petitioner has no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein there are allegations against this petitioner that he had established physical relationship with the informant after



alluring her with a promise to marry and there is also an allegation that the informant had conceived out of such relationship which was later on aborted, this court is not inclined to grant privilege of anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is refused.

In case, the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit and the same will be an independent consideration by the court below on the basis of the materials available on the record.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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