

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78613 of 2019**

Arising Out of PS. Case No.-148 Year-2019 Thana- NAANPUR District- Sitamarhi

Md. Raja @ Md. Raja Shah, Son of Md. Nazir Shah Resident of Village -  
Pandaul Buzurg, Ward No. 4, P.S.- Nanpur, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shankar Kumar, Advocate.

For the Opposite Party/s : Mr. A.M.P. Mehta, APP

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

ORAL ORDER

2      03-12-2019                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Nanpur P.S. Case No. 148 of 2019, registered under Sections 376 and 313 of the Indian Penal Code and Section 67 of the I.T. Act.

The accusation is that on giving allurement to perform the marriage, petitioner developed the physical relation with the informant, Barkati Khatoon in spite of her protest. Thereafter, she made complaint to her parents then her parents went at the house of the petitioner but they were abused. While she conceived her pregnancy but her pregnancy was aborted on giving medicine by the petitioner.



Learned counsel for the petitioner submits that due to land dispute, informant has lodged the present case with false allegation at the instance of her parents. Moreover, statement of informant was recorded under Section 164 of the Cr.P.C., in which, she has clearly stated that she could not identify the person, who committed the rape with her.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Pupri at Sitamarhi, in connection with Nanpur P.S. Case No. 148 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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