

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16152 of 2020

Arising Out of PS. Case No.-532 Year-2019 Thana- COMPLAINT CASE District-
Kishanganj

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Perwez Rahi @ Parwej Son of Asfaque Resident of Village-Chirah, P.S.-
Mahalgaon, District-Araria.

... .. Petitioner/s

VERSUS

1. The State Of Bihar
2. Anarkali D/o Noor Islam, Resident of village Mahesh Bathana, P.S. +
District – Kishanganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Anant Kumar I

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 22-07-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in Complaint
Case No. 532 of 2019 punishable for the offence under Section
376 of the Indian Penal Code.

As per prosecution case, the petitioner, who is relative
of the complainant, used to come to complainant's house. One
day, the petitioner, finding no one in the house except the
complainant, committed rape with complainant on the pretext of
marriage, but later on, he refused to marry her (complainant).

It is submitted on behalf of petitioner that after the
occurrence, with the intervention of friends and relatives of both



parties, the matter has been compromised and both of them married and are living together and leading conjugal life as husband & wife. To this effect, **Annexure – 2**, which is compromise petition, and **Annexure – 3** i.e. Nikahnama have been enclosed with this petition.

Considering the aforesaid facts and circumstances, the anticipatory bail application of petitioner is allowed.

In the event of arrest or surrender within a period of eight weeks from the date of receipt/production of copy of this order, let the above-named petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Complaint Case No. 532 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. with further condition that **one of the bailor shall be complainant**.

(Prabhat Kumar Singh, J.)

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