

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6753 of 2022

Arising Out of PS. Case No.-50 Year-2021 Thana- MAHILA P.S. District- Sheikhpura

PRABHAT KUMAR RAJAK @ PAPPU SON OF LATE MUNNA RAJAK
R/O VILLAGE- MAKSUSPUR, DHOBI TOLA, P.S.- KASIM BAZAR,
DISTRICT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha
For the Opposite Party/s : Mr.Sheo Nandan Prasad
Mr. Murlidhar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 25-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned counsel for the informant.

The petitioner apprehends his arrest for the

offences alleged under Sections 493, 323, 504, 506, 313, 509

and 34 of the Indian Penal Code, registered in connection with

Sheikhpura (Mahila) P.S.Case No. 50 of 2021 (G.R.No. 1186 of

2021).

The prosecutrix is a divorcee. In 2018, the divorce

took place. The petitioner is *Chachera Devar* of elder sister of



the informant. On the pretext of marriage, he had physical relation with her. In Sheikhpura the petitioner kept her in a rented accommodation and when the informant apprised that she has become pregnant due to his physical relation, he assaulted with legs, resulting in termination of her pregnancy. Later on, he refused to marry her.

The learned counsel for the petitioner has submitted that the informant is a divorcee. The divorce took place on the ground of adultery. The entire allegation is false. As a matter of fact, family members of the informant and the petitioner were known to each other and there was money transaction between them and it was the reason that the petitioner has been falsely implicated in this case.

On the other hand, learned counsel for the informant has submitted that considering the material emerged during the course of investigation, the learned court below has taken cognizance.

There is specific allegation against the petitioner that he had sexual relation with the informant on the pretext of marriage and when she became pregnant, he assaulted her, resulting in termination of her pregnancy.

In view of aforesaid, it is not a fit case for anticipatory



bail to the petitioner. His prayer for anticipatory bail is hereby rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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