

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28671 of 2021**

Arising Out of PS. Case No.-87 Year-2020 Thana- MAHILA P.S. District- Madhubani

MOTI @ SHAMSHAD ALAM Son of Harun Resident of Village- Raiwari,
P.S.- Jhanjharpur (O.P.), Araria Sangram, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Miss Kusum Rani

For the Opposite Party/s : Mrs. Anita Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

6 18-07-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 376, 420, 313 of the Indian Penal Code.

As per the prosecution case, this petitioner on the pretext of marriage established physical relation with the victim and when she became pregnant he denied to marry her.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that victim in her statement u/s 164 of the Cr. P. C. has categorically stated that this petitioner on the pretext of marriage established physical



relation with her.

Considering the nature of accusation, gravity of the offence and the statement of victim recorded u/s 164 of the Cr. P.C., I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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