

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33826 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- MAHILA P.S. District- Purnia

Md. Manzoor Alam @ Manzoor Alam @ Md Manjur Alam @ Manjoor Alam
Son of Late Fazilat Hussain Resident of Village - Kankhudi, P.s.- Jalalgarh,
Distt.- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim

For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioner and
learned APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Mahila P.S. Case no. 14 of 2022 instituted for the offence
under Sections 376 and 313 of the Indian Penal Code.

Allegation against the petitioner is commission of
rape upon the informant and making physical relationship
with her and consequently she conceived. It is further alleged
that the petitioner administered medicine to the informant and
due to which miscarriage took place.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has



committed no offence. He has got no criminal antecedent. He has falsely been implicated in this case due to contradiction of election of ward member. It is further submitted that the informant is a married and major lady and the petitioner is also a married person and there is no report to prove the termination of pregnancy of the informant. It is further submitted vide supplementary affidavit that after completing the investigation, this instance case has not found true under section 376 and 313 of IPC rather they have found true under section 354B of IPC.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Mahila P.S. Case no. 14 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M, Purnea subject to the conditions as laid down under section



438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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