

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46443 of 2022

Arising Out of PS. Case No.-98 Year-2022 Thana- DHAMDAHA District- Purnia

MD FARYAD @ MD FARIYAD Son of Md. Rahim Resident of Village -
Tarauni Muslim Tola, Ward no.07, P.s.- Dhamdaha, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-12-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 376, 341, 323, 504, 506 of the Indian Penal Code.

As per F.I.R., the victim was subjected to repeated sexual intercourse on the false promise of marriage, which resulted her pregnancy.

It is submitted on behalf of petitioner that there was love affairs between the parties and the physical relation was established with the consent of the victim and as such, no offence under Section 376 of the I.P.C. is made out against this petitioner.

However, learned A.P.P. for the State vehemently opposed the prayer for bail and submitted that there is specific



and direct allegation against this petitioner of establishing physical relation with the victim on the false promise of marriage resulting in her pregnancy. It is further submitted that the victim, in her statement recorded under Section 164 Cr.P.C., has fully supported the prosecution case.

Considering the same, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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