

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 60546 of 2021

Arising Out of PS. Case No.-45 Year-2021 Thana- MAHILA P.S. District- Araria

MD. YASIN S/o Late Safidur Rahman R/o Village - Jhamta, Ward No. 09,
P.S. - Tarabari, District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh
For the Opposite Party/s: Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

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

Learned counsel for the petitioner is permitted to re-move defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioner seeks anticipatory bail in connection with Araria Mahila P.S. Case No. 45/2021, registered for the offence under Section 376 I.P.C.

Learned counsel for the petitioner submits that petitioner is 80 years old having a relationship of father-in-law with the informant and informant's medical examination report does not prove the alleged sexual intercourse and the informant is an unchaste and greedy woman. It is further stated that during period of stay of the son of petitioner outside, she developed relation with her maternal brother namely Ragib and she be-



came pregnant. On hearing it the son of petitioner came and called for Panchayat meeting wherein she confessed that she was pregnant from said Ragib, but later she filed the instant frivolous case. Petitioner is ready for his DNA test with regard to the pregnancy of forty weeks of the informant.

Heard learned counsel for the petitioner as well as APP and perused the F.I.R. and medical report and other Annexures annexed to the bail petition.

A serious allegation appears against the petitioner and as per F.I.R. the informant who is stated to be daughter in law of the petitioner, was sexually assaulted by petitioner due to which she became pregnant. The case is under investigation and this court is not satisfied with the counsel's submission of false fabrication of present case against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer is rejected.

(Shailendra Singh, J)

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