

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64944 of 2021

Arising Out of PS. Case No.-51 Year-2018 Thana- MAHILA PS District- Katihar

MD. MEJAR @ MD. MEJAR ALAM S/o Abdul Gani R/o village- Bartabari,
P.S.- Azamnagar, District- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Musowir, Adv.
For the Opposite Party/s : Mr. J.N. Thakur, APP

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

ORAL ORDER

2 20-07-2022 Learned counsel for the petitioner is directed to remove all
the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as Mr.
J.N. Thakur, learned Addl.P.P for the State.

The petitioner apprehends his arrest in connection with
Mahila P.S. Case No. 51 of 2018, registered for the offences
punishable under Sections 376, 506, 365, 313/34 of the Indian Penal
Code and Section 4 of the POCSO Act and 5 of Immoral Traffic Act.

As per allegation, the prosecutrix aged about 16 years
made allegation that the petitioner in absence of her parents
came to her house and committed rape. He threatened to kill had
the informant dared to narrate the occurrence to her parents.
Later on, he committed rape several times. When she became
pregnant, the accused persons kidnapped her and forcibly got



her pregnancy terminated.

Learned counsel for the petitioner has submitted that the entire allegation is false. He has submitted further that the prosecutrix is not minor, in medical report her age has been assessed as 25 years.

On the other hand, learned Addl.P.P., Mr. J.N. Thakur, has submitted that the present petitioner committed rape upon the prosecutrix several times and he threatened her to kill had she dared to narrate the occurrence. The victim in her statement under section 164 of the Cr.P.C. has also supported the occurrence.

Considering the above-mentioned facts and circumstances, the petitioner does not deserve the privilege for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

SONALI/-

U		T	
---	--	---	--

