

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6916 of 2023**

Arising Out of PS. Case No.-32 Year-2022 Thana- MAHILA P.S. District- Kishanganj

ADIL @ MD ADIL S/O LATE AZAM @ MD AZAM R/v- Majgawan, P.S.-
Kochadhaman, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mrs. Madhuri Lata

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 13-04-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 342, 313, 376, 34 of the Indian Penal Code.

The allegation against the petitioner is that he committed rape with the informant due to which the victim became pregnant and later on promised to marry but did not married her.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the matter has been settled between the parties and compromise has been made by the informant/O.P. No.2 and both the petitioner and O.P. No.2 have solemnized marriage,



this fact is also evident from the *Nikaahnama* annexed as Annexure-2 of the bail application. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Mahila P.S. Case No.32 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Learned Court below is directed to verify whether the petitioner and informant/O.P. No.2 have solemnized marriage or not, if the petitioner has solemnized marriage with the informant/O.P. No.2 then only the bail bond of the petitioner shall be accepted.

(Anjani Kumar Sharan, J)

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