

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29466 of 2022

Arising Out of PS. Case No.-120 Year-2019 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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MD. CHAMAN ALAM @ MD. CHAMAN Son of Md. Jahur Alam Resident
of Village - Pali, P.S.- Ghanshyampur, District – Darbhanga.... ... Petitioner/s
Versus

1. The State of Bihar
2. Farhana Khatoon Wife of Chaman Alam Resident of Village and P.O. - Pali,
P.S.- Ghanshyampur, District – Darbhanga. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Barun Kumar Choudhary
For the Opposite Party/s : Mr.Jai Narain Thakur

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

ORAL ORDER

3 16-01-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No. 120 of 2019, registered for the offences
punishable under Sections 323, 376, 354B, 120(B), 498(A) and
504 of the Indian Penal Code and Section ¾ of the D.P. Act.

As per allegation, the petitioner made physical relation
with the informant. On protest, he solemnized marriage with
her. He brought her to his house and after sometime, he ousted
her from her matrimonial house. It has also been mentioned that



he has already solemnized marriage with one Pharhana Khatoon.

The learned counsel for the petitioner has submitted that the petitioner is innocent has falsely been implicated in this case.

On the other hand, the learned Additional Public Prosecutor has opposed the prayer for anticipatory bail and submitted that on two occasions, the learned Sessions Judge has rejected his anticipatory bail petition, as per allegation, the petitioner committed rape upon the informant, later on, he solemnized marriage with her and thereafter, he ousted her from matrimonial house.

In my view, the petitioner does not deserve the privileges for anticipatory bail. Accordingly it is rejected.

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

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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