

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53976 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- MAHILA THANA District- Begusarai

Md. Salkhin @ Md. Salkin Son Of Md. Ajam Resident Of Village- Ward No.
01, Maida, Babhangawan, Ramdiri, Ps- Matihani, Dist- Begusarai
... .. Petitioner/s

Versus

1. The State of Bihar
2. Muskan Khatoon Daughter Of Md. Anwar Resident Of Village- Ward No.
01, Aadhya Chowk, Naya Tola, Ps- Teghra, Dist- Begusarai
... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.K.Lal Mr.Pritish Kumar Lal
For the Opposite Party/s :		Mr.Ram Sumiran Rai Mr.Sandip Kr. Gautam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-08-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 376, 504, 506 and 34 of the Indian Penal Code.

3. The case of the prosecution, in brief, is that petitioner was her relative and used to visit house of informant since one and half years. It is further alleged that one day while mother of informant was not at home, the petitioner committed rape upon informant and thereafter, he continued establishing physical relation with the informant on the pretext of marriage and due to physical relation, the informant became pregnant. It is next alleged that when mother of informant came to know about pregnancy of her daughter, she went to house of petitioner to complain, the co-accused persons threatened and misbehaved



with her.

4. It is submitted on behalf of petitioner that petitioner never visited the house of informant, rather the informant had illicit relation with her own brother-in-law, on account of which, she became pregnant. Petitioner claims clean antecedent.

5. However, learned A.P.P. for the State and learned counsel for the informant vehemently opposed the bail petition and submitted that there is specific allegation against this petitioner on on the pretext of marriage, he established physical relation with the informant, as a result of which, she became pregnant.

6. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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