

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54372 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- MAHILA P.S. District- Araria

MARGUB ALAM @ MD MARGUB S/o Md. Sarfuddin @ Shafuddin
Resident of Village- Kakorana Basti, Ward No.29, P.S. and District- Araria.
... .. Petitioner/s

Versus

THE STATE OF BIHAR
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Rana Randhir Singh

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

ORAL ORDER

2 01-02-2023 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 and the
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 13 of 2022 registered for offence
punishable under sections 376, 341, 323, 307, 313, 504, 506/34
of the Indian Penal Code.

As per allegation, the victim, who is a parentless girl,
was staying on rent in a tenanted house of the father of the
petitioner. The petitioner committed rape upon her. The parents
of the petitioner assured that they would solemnize the marriage
of their son (petitioner) with the victim, but even after passing
several months, they did not stand to their words. A *Panchayati*



was convened on 02.03.2022, in which, the *Punches* asked the petitioner to marry to the informant, but in *Panchayati*, he badly assaulted her, resulting into bleeding from her private part.

The learned counsel for the petitioner has submitted that the date of rape has not been mentioned in the FIR. The petitioner is a person of clean antecedent and he has falsely been implicated in this case.

There is specific allegation that the petitioner committed rape upon the victim and he retracted from his promise to marry to her when the *Panchayati* was convened.

Considering the above-mentioned facts and circumstances, it is not a fit case 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)

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