

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79643 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- MAHILA PS District- Jamui

MD. SHOHEB @ MD. SHOHEB SHAH Son of Md. Rizwan Resident of
Village - Marwa, P.S. and District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satya Prakash Parasar, Advocate
For the State	:	Mr. Rajiv Nayan, A.P.P.
For the Informant	:	Mr. Pramod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 18-04-2024 Heard learned counsel for the petitioner, informant
and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 376, 323, 504, 506/34 of
the Indian Penal Code and Section 4/6 of the Protection of
Children from Sexual Offences Act.

3. As per the prosecution case, this petitioner
committed rape upon the minor daughter of the informant.

4. Learned counsel for the petitioner denies the
prosecution case and submits that some negotiation of marriage
was going on between the parties and during this period, the
petitioner and daughter of the informant developed affinity and
established physical relationship. He next submits that during



the pendency of the case, petitioner has already solemnized marriage with the daughter of the informant.

5. Learned counsel for the informant does not dispute the contention made on behalf of the petitioner.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate-I, Jamui in connection with Mahila P. S. Case No. 22 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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