

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77507 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- MAHILA PS District- Darbhanga

Md. Saquib Son of Sanjur Alam R/o Village- Hayatpur Bharwara, P.S.-
Singhwara, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagjit Roshan, Adv.

For the Opposite Party/s : Mr. Kanhiya Kishor, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-11-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in connection with Mahila P.S. Case No. 78 of 2024 registered for the offences punishable under Sections 376, 504, 506, 34 of the Indian Penal Code.

3. Allegedly, petitioner is said to have established sexual relation with the information on the pretext of marriage and later on went back on his word.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. The real fact of the matter is that the informant



wants to marry with the petitioner, but when the family members of the petitioner refused to do so, she filed this false case in order to create pressure for marriage upon the petitioner and his family members. It is further submitted that there are serious discrepancies in the statements of the victim recorded under Section 161 of Cr.P.C. as well as Section 164 of Cr.P.C. In her statement recorded under Section 161 Cr.P.C, the informant has submitted that she had friendship with the petitioner, whereas in the statement recorded under Section 164 Cr.P.C., she admitted that she was in relationship with the petitioner, which shows serious doubt about the prosecution case. Learned counsel further submits that petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as considering the statement of the informant recorded under Section 164 Cr.P.C., I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

(Anjani Kumar Sharan, J)

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