

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78730 of 2025

Arising Out of PS. Case No.-150 Year-2025 Thana- CHAKAND District- Gaya

Md. Meraj @ Md. Merajuddin, S/o- Md. Ziauddin, Resident of Village-
Lakshmipur, P.S.- Belaganj, Dist- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Advocate

For the Opposite Party/s : Mrs. Renuka Ratnakar APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Chakand P.S. Case No.150 of 2025 registered under Sections 64, 69, 92, 351(1) and 352 read with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. As per FIR, the petitioner committed rape upon informant aged about 26 years, who was his tenant. It is alleged that the husband of the informant was working somewhere in Jaipur. Out of alleged rape, she became pregnant and when the pregnancy developed to its advanced stage, this petitioner assaulted on abdomen of informant with



his leg causing termination of pregnancy, making her condition deteriorating. A new born child also died during treatment due to said injury alleged to be caused by petitioner.

4. It is submitted by learned counsel appearing for petitioner that this is a case of extra-marital affairs, where the informant out of her own consent being a major lady 26 years old established physical relationship with this petitioner. It is submitted that the FIR is nowhere suggesting that the informant was not accessible to her husband and, therefore, in want of any scientific test, it cannot be said that the pregnancy of informant was out of this petitioner. It is submitted that a new born baby of informant died due to his birth related complexities during treatment, whereafter, the present allegation was raised against this petitioner to grab his properties.

5. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that the relationship is an admitted position and it is specifically alleged that this petitioner assaulted on the



abdomen of the informant knowingly that she was in advanced stage of pregnancy out of which the complicity developed as per allegation, due to which the new born baby of informant died during the treatment in K.B. Memorial Children Hospital, Darbhanga, which was duly supported by the statement of Dr. Nand Kishore Gupta.

6. In view of aforesaid factual submissions and by taking note of the nature of allegation, where the factual aspects of case nowhere suggest that it was a consensual relationship and a new born baby of informant died during treatment as alleged, which further *prima facie* approved by the statement of doctor, as discussed aforesaid, accordingly, the prayer of anticipatory bail of petitioner stands rejected for the present.

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	
---	--	---	--

