

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4897 of 2015

Arising Out of PS.Case No. -298 Year- 2014 Thana -NARPATGANJ District- ARRARIA

=====

Md. Israil @ Israil Mansuri Son of Noor Mohammad Resident of Vill-
Babuan, P.S.- Narpatganj, Distt.- Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s :

For the Opposite Party/s :

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 04-02-2015 Heard learned counsel for the petitioner, learned
A.P.P. for the State as well as learned counsel for the informant.

The petitioner apprehends his arrest in Narpatganj
(Basmatia) P.S. Case No. 298 of 2013 registered under Section
376 of the Indian Penal Code.

The victim made a very specific allegation that the
petitioner committed rape with her.

Learned counsel for the petitioner submits that there
was love affairs between the petitioner and the victim. When the
petitioner refused to marry her, this case has been lodged. Now the
situation has changed as the petitioner has already solemnized
marriage with the victim and the victim is living happily in the
house of the petitioner.

Learned counsel for the informant did not controvert

the above fact.

Be that as it may, on perusal of the records, it appears that the victim has made a very specific allegation that the petitioner committed rape with her. The victim also reiterated the same fact in her statement made under Section 164 Cr.P.C.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Narpatganj (Basmatia) P.S. Case No. 298 of 2013. Accordingly, the same is rejected.

The petitioner is directed to surrender in the court below within four weeks from today in connection with the aforesaid case and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioner without being prejudiced by the present order and taking into account the fact that the victim has already solemnized marriage with the petitioner.

(Prabhat Kumar Jha, J)

Dilip/-

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