

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14332 of 2015

Arising Out of PS.Case No. -84 Year- 2012 Thana -RANIGANJ District- ARRARIA

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Moulvi Eakhlaque @ Moulvi Ekhlake son of Md. Idris resident of village -
Rampur, Police Station - Raniganj, District - Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Suresh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 29-04-2015

The petitioner has renewed his prayer for anticipatory bail in connection with Raniganj P.S. Case No. 84 of 2012 registered for the offences punishable under Sections 376/34 of the Indian Penal Code, pending in the court of learned Chief Judicial Magistrate, Araria.

It is alleged that the petitioner established physical relationship since last three months of the institution of the case on promise of marriage when subsequently he refused to marry.

It is submitted by learned counsel for the petitioner that the medical report does not suggest the commission of rape when the victim was found to be 18 years of age.

The earlier anticipatory bail application of

the petitioner was disposed of with liberty to the learned court below to consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today. Now the prayer for anticipatory bail has been renewed on the ground that the informant has entered into compromise and petition to that effect has been filed before the learned court below.

Let the learned court below consider the prayer for regular bail of the petitioner in view of the retracted version of the informant and keeping in view of the fact that the physical relationship was established on promise of marriage prima facie does not suggest the commission of offence under Section 376 of the Indian Penal Code.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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