

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27469 of 2015

Arising Out of PS.Case No. -38 Year- 2014 Thana -ANDHRATHARI District- MADHUBANI

1. Nuruddin @ Md. Nuruddin @ Munna S/o Masiuddin Resident of Village
Gidarganj, P.S. Andhratharhi, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Sanjay Kumar (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 21-07-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Andharatharhi P.S. Case No. 38 of 2014 corresponding to G.R.
No. 10 of 2014 registered for the offences punishable under
Section 376 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
present case is not under Section 376 of the Indian Penal Code
rather it is a case of love affair in which girl wanted to marry with

the petitioner. He further contends that as of date the petitioner has started living with informant and a baby girl has also been born to them. He submits that the matter has also been compromised. However, after perusal of the statement of the victim girl under Section 164 Cr.P.C. which tallies with the earliest version in the F.I.R., I am not inclined to grant privilege of anticipatory bail to the petitioner. It is, accordingly, rejected.

However, considering the facts and circumstances as detailed in the present application, let the petitioner surrender in the court below and the court below shall consider the case of the petitioner on its own merit and may grant regular bail without being prejudiced by this order.

(Anjana Mishra, J)

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