

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34918 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -SABOUR District- BHAGALPUR

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1. Mirtunjai Mandal @ Mirtunjai Kumar Son of Shekhar Mandal resident of village - Muktapur, P.S. Goradih, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Dasrath Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 30-10-2015 Heard both sides.

The petitioner apprehends his arrest in Sabaur P.S. Case No. 39/2015, registered for the offences punishable under Section 366A, 376, 504 and 34 the Indian Penal Code and Section 3 and 4 of POCSO.

The victim made allegation against the petitioner that he forcibly kidnapped and committed rape with her in the pretext of marrying with her.

Learned counsel for the petitioner submitted that the victim filed a complaint petition which was sent for enquiry. The enquiry officer found that the victim along with her friend had gone to Mumbai and the case has been filed only to pressurize the petitioner to marry with the victim.

It is submitted that the entire case is false, but from perusal of complaint petition and statement of the victim it appears that the victim is a minor girl and she made specific allegation that the petitioner committed rape with her.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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