

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14984 of 2015

Arising Out of PS.Case No. -456 Year- 2014 Thana -PURNEA SADAR
District- PURNIA

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Md. Soabur Rahman @ Soabur Rahman @ Md. Sabir Son of Imazuddin
Resident of Village - Kabiya Kamaldaha Maharajpur P.S. - Muffasil 'Sadar'
Ranipatra, District - Purnea.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Md.Sufiyan(APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-05-2015

Heard both sides.

The petitioner apprehends his arrest in Sadar P.S. Case
no. 456 of 2014, registered for the offences punishable under
Section 376 and other Sections of the Indian Penal Code.

The prosecutrix made allegation that the petitioner
firstly committed rape with her but agreed to marry with her, but
later on the petitioner retracted from his commitment and refused
to marry with the prosecutrix.

The submission is that the prosecutrix is a major girl.
No offence under Section 376 of Indian Penal Code is made.

Taking into consideration the facts that the prosecutrix
herself stated that the petitioner firstly committed rape with her

and thereafter agreed to marry with her, I am not inclined to
enlarge the petitioner above named on anticipatory bail.
Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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