

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51575 of 2014

Arising Out of PS.Case No. -2208 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA

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Md. Javed @ Md. Jawaid @ Guddu son of Allauddin Resident of village -
Kendua, P.S. Magadh Medical, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

2. Sufi Parveen Khatoon, Daughter of Md. Kamruddin Resident of village -
Kendua, P.S. Magadh Medical, District - Gaya

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate.

For the Opposite Party/s: Mrs. Shahin Begum (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 23-07-2015 Heard learned counsel for the parties as with regard to

the prayer for anticipatory bail of the petitioner facing allegation

for offence under Section 376 I.P.C.

Pursuant to the notice of this Court, learned counsel for

the O.P. No. 2 has appeared and has sought to support allegation

made in the petition of complaint.

Having regard to the nature of allegation for offence

under Section 376 of IPC, this Court is not inclined to grant

privilege of anticipatory bail to the petitioner inasmuch as it has

taken into account that the petitioner admittedly was the next door

neighbour of the complainant and is said to have sexually

exploited the complainant with a definite representation that he

will marry her. This Court would also not find any merit in the

solitary defence of the petitioner of his being falsely implicated by the complainant for getting married to him as he has been employed in government service. In India at least no girl will come out to stake her own modesty and character only for allegedly getting married to a person, only for putting pressure on the petitioner only because he has a government job.

That being so, the prayer for anticipatory bail of the petitioner is accordingly, rejected and in the interim protection given to the petitioner in the order passed earlier on 14.5.2015 shall accordingly also stand vacated.

(Mihir Kumar Jha, J)

Sujit/-

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