

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35964 of 2015

Arising Out of PS. Case No. -99 Year- 2015 Thana -ALAMGANJ District- PATNA

Sarvesh Prakash @ Sonu S/o Jay Prakash Gupta, Resident of Mohalla -
Chailitand, Near - Mahavir Temple, P.S. Alamganj, District - Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Bishwa Bijay Kumar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 03-11-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 376, 379 and 504 of the Indian Penal Code.

The informant made allegation that she was residing
in the house of Jai Prakash Gupta, the father of the petitioner, with
her daughter, aged about six years. The petitioner was imparting
tuition to her daughter but the petitioner at first forcibly
established physical relation with her and continued to establish
physical relation on the pretext of marriage but, later on, when the
informant became pregnant, the petitioner refused to marry her. It
is submitted that the informant has given her consent out of her
free will. From the contents of the F.I.R. itself, it would appear
that the informant is a married lady. She voluntarily established
physical relation with the petitioner. The petitioner never assured

to marry her.

On the other hand, learned counsel for the informant as well as learned A.P.P. has opposed the prayer for anticipatory bail.

It appears that informant made allegation that on the pretext of marriage, the petitioner established physical relation with her. The victim was carrying pregnancy of 6-7 months at the time of lodging the case.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Alamganj P.S. Case No. 99/2015. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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