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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16161 of 2015

Arising Out of PS.Case No. -218 Year- 2014 Thana -KASBA District- PURNIA

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Md. Faiyaz S/o Sheikh Ibrahim @ Md. Ibrahim Resident of Shikarpur, P.S. Kasba, District Purnea.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Md. Helal Ahmad, Adv.
For the Opposite Party/s : Mr. J.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-04-2015

Heard both sides.

The petitioner apprehends his arrest in Kasba P.S. Case no. 218 of 2014, registered for the offences punishable under Sections 376, 307 and other Sections of the Indian Penal Code.

The victim is none else than cousin of the petitioner and the victim made allegation that on the pretext of marriage firstly the petitioner committed rape with her and thereafter on pretext of marriage she continued to establish physical relation. The victim became pregnant, but the petitioner refused to marry.

It is submitted that the victim is a girl of easy virtue, the petitioner is ready for DNA test of the child to know about the biological father of the child.

The victim was not examined by the doctor. There appears that the victim gave birth a child after institution of the case. The victim has made very specific allegation that the petitioner committed rape and thereafter continued to establish physical relation on assurance of 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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