

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34382 of 2015

Arising Out of PS.Case No. -62 Year- 2015 Thana -BHAWANIPUR District- PURNIA

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Md. Azad S/o Late Md. Abbas Resident of Village Madhonagar, Police
Station Bhawanipur, District Purnia.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Adv.

For the Opposite Party/s : Mr. Madhuranand Jha(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 16-10-2015 Heard both sides.

The petitioner apprehends his arrest in Bhawanipur
P.S. Case no. 62/2015, registered for the offences punishable
under Sections 376, 417 of the Indian Penal Code.

The victim alleged that when she went to attend the
call of nature, the petitioner forcibly committed rape with her, but
the prosecutrix did not raise alarm.

It is submitted that the petitioner assured her to marry
but later on refused to marry with the victim.

It is further submitted that the victim is a married lady
and she has got illicit relation with the petitioner. The victim has
also stated this fact.

It appears that the prosecutrix as well as family

members and other witnesses have stated that the petitioner had got illicit relation with the prosecutrix. When the victim asked the petitioner to marry, the petitioner refused and thereafter the case has been lodged.

Considering the facts aforesaid, 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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