

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1295 of 2015

Arising Out of PS.Case No. -103 Year- 2014 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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Motiur Rahman			Petitioner/s
Versus			
The State of Bihar			Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s Mr. M.Haque(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 13.01.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Chhauradano P. S. case no. 103/2014 registered under section 376 of
the IPC.

The accusation against the petitioner is that he established
physical relation with the informant on false promise of marriage.

The contention on behalf of the petitioner is that mother of
the informant had taken Rs 15,000/- as loan from the petitioner and
when the petitioner demanded the aforesaid amount, mother of the
informant got instituted this case through the informant. He further
submits that moreover, case has already been compromised between
the parties.

Taking into consideration the facts and circumstances as well
as submissions of the parties, I am not inclined to release the
petitioner on anticipatory bail. Accordingly, his prayer for anticipatory

bail in connection with the above stated case stands rejected.

However, if the petitioner surrenders before SDJM, Raxaul at Motihari, East Champaran within four weeks from the date of receipt/production of a copy of this order and seeks regular bail, the concerned court shall dispose of regular bail application of the petitioner on the same day and if any regular bail application is preferred before learned Sessions Judge, East Champaran, Motihari, the said regular bail application shall be decided on its own merit without being prejudiced by this rejection order, particularly, keeping in mind the facts and circumstances of the case as well as factum of compromise.

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(Hemant Kumar Srivastava,J)

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