

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15702 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -AWADPUR District- KATIHAR

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Rahimul @ Boka Son of Late Asiruddin Resident of Village-Sakpan, P.S.-
Abadpur, District-Katihar. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abdul Wadood

For the Opposite Party/s : Mr. Nagendra Pd.(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

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05-10-2016

Heard learned counsel for the petitioner, Opposite

Party No. 2 and learned counsel appearing on behalf of the

State.

The petitioner apprehends his arrest in connection with
Abadpur P.S. Case No. 07 of 2016 for the offences registered
under Sections 376, 313 and 120B of the Indian Penal Code.

Today, a supplementary affidavit has been filed before
this court bringing on record the statement of the victim lady
under Section 164 Cr.P.C.

The allegation against the petitioner is that he is the
Dewar of the victim lady and after the death of her husband, the
petitioner had been sexually exploiting her under threat and
coercion and when she conceived, the petitioner alongwith other
family members forced her to consume medicine so that the
three months womb was aborted and thereafter, the petitioner
has refused to marry her. It is under such circumstances,

opposite party no. 2 prays that the prayer for anticipatory bail of the present petitioner should be rejected.

Learned counsel for the petitioner submits that despite much effort, the mediation could not be set into motion and therefore, there is no question of the petitioner to marry with the opposite party no. 2.

In view of the entire facts and circumstances of the case and on hearing the learned counsel for the petitioner as well as the opposite party no. 2, I am not inclined to grant anticipatory bail to this petitioner. It is, accordingly, rejected.

(Anjana Mishra, J)

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