

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12926 of 2016

Arising Out of PS.Case No. -9 Year- 2015 Thana -MAHILA P.S. District- MUNGER

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1. Md. Raja S/o Md. Fasi Ahmad Resident of village / Mohalla -
Hajratganj, Bara, Gali No. 15, P.S. Kasimbazar, District - Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary

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

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 19-04-2016 Heard the Counsel for the petitioner and the APP for the
State.

Petitioner is accused of Mahila P.S. Case No. 09 of 2015
registered under Sections 341, 323, 376/504 of the Indian Penal
Code and Sections 3 of the POCSO Act.

As per the F.I.R., the petitioner came on to the door of the
informant and at gun point took her to the up stairs and committed
rape.

Contention of the petitioner is that both parties are
neighbours. It would appear that marriage negotiations were going
on. The mother of the petitioner lodged a case prior to the present
one vide Annexure-2. As a counter blast, the present case has been
lodged.

Learned APP opposed the prayer and contended that the

explanation is there in the first information report as an attempt was made to get the marriage solemnized which ultimately failed and in these circumstances, the case was lodged.

Taking into account the rival contentions and the allegations attributed to the petitioner, I am not persuaded to extend the privilege of anticipatory bail to the petitioner. Prayer is, accordingly, rejected.

(Kishore Kumar Mandal, J)

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