

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33499 of 2016

Arising Out of PS.Case No. -55 Year- 2016 Thana -DAGARUA District- PURNIA

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Md. Samrul, S/o Gulam Mustafa, Resident of: Village- Bachhardah, P.S. -
Dagarua, district- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party : Mr. Sri Shantanu Kumar(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks pre-arrest bail in connection
with Dagarua P.S. Case No. 55 of 2016 registered for the offences
punishable under Sections 341, 323, 376, 504, 506/34 of the
Indian Penal Code.

Allegedly, the petitioner committed rape at the point
of knife after bringing the informant in maize field and when she
started weeping, the petitioner assured her to marry with her and
on that assurance again developed physical relationship with her,
resulting she became pregnant and thereafter the petitioner refused
to marry with her

Submission is of false allegation and that only with a

view to put pressure this false case has been lodged, no such occurrence has taken place, the petitioner has been elected a member of Gram Panchayat, he has got prestige in the society and as such he deserves sympathetic consideration.

Learned A.P.P seriously opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with Dagarua P.S. Case No. 55 of 2016 pending in the court of learned Chief Judicial Magistrate, Purnea.

(Jitendra Mohan Sharma, J.)

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