

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51610 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -JALALGARH District- PURNIA

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Sanoj Paswan, Son of Late Gujaee Paswan @ Late Gujay Paswan @ Vijay Paswan, resident of Village- Bijuliya, P.S. Jalalgarh, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Smt Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 19-12-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Jalalgarh P.S. Case No. 61 of 2016 registered under Section 376/34 of the Indian Penal Code and Section 12 POCSO Act, pending in the court of Ist Additional Sessions Judge-cum-Special Judge, Purnea.

The accusation is that the informant was taken by her maternal brother and this petitioner on motorcycle at Zalalgarh Bazar where they have taken breakfast and tea. Thereafter, her maternal brother, Suman Vishwas, boarded her along with this petitioner on Auto rickshaw and she was kept several places by



the petitioner, who committed rape with her.

Learned counsel for the petitioner submits, in fact, due to love affairs petitioner perform the marriage with the informant of the present case but the family members of the informant took the informant from the house of the petitioner forcibly as they were not satisfied with the marriage of the informant with this petitioner because petitioner belongs to the Scheduled Caste, regarding which, on the basis of the written report of the mother of the petitioner addressed to the Superintendent of Police, Purnea, S.C/S.T. P.S. Case No. 18 of 2016 is instituted under Sections 448, 329, 354, 379, 427, 504 and 506/34 of the Indian Penal Code and Section 3 (i)(x)(xi)(xv) of the S.C./S.T. Act, against the family members of the informant.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within six weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.



(Rajendra Kumar Mishra, J)

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