

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50113 of 2016

Arising Out of PS.Case No. -199 Year- 2016 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

Ravi Kumar son of Arun Sah, resident of village- Majhauri, P.S. Bidupur,
District-Vaishali at Hajipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-11-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 376, 420 and 120B of the Indian Penal Code.

Allegation against petitioner is that he established physical relationship with informant on the pretext of marriage.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. No allegation of tampering of witnesses is alleged against petitioner. He has falsely been implicated in the present case. Prior to institution of the present case vide Annexure-2, a case was instituted against uncle and father of informant. There is admitted enmity between the parties. The medical examination report does not support the allegation of commission of rape upon the victim.

On behalf of the State, it is submitted that petitioner is named in the F.I.R. and specific allegation of commission of rape has been made against petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner, same is rejected.

Any how, if petitioner surrenders in the court below, i.e.,

Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Bidupur P. S. Case no. 199 of 2016 within a period of six weeks and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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