

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16503 of 2016

Arising Out of PS.Case No. -276 Year- 2015 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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1. Bagish Kumar Jha Son of Sri Navo Narain Jha Resident of Village-
Sahbajpur, P.S.-Riga, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rinku Kumari D/O Sri Maheshwari Prasad Singh Resident of Village-
Samdhiniya, P.S.-Jalley, District-Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat

For the Opposite Party/s : Mr. Nand Kishore Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 16-05-2016 Heard both sides.

The petitioner apprehends his arrest in a case under
Section 376, 504 and 506 of the Indian Penal Code.

The informant alleged that while she was going to
attend class, the petitioner followed her and passed loose
comments. The informant lodged the case and police apprehended
the petitioner but petitioner came out from the custody of police
and took the informant in a hotel at Patna and committed rape with
her.

It is submitted that true facts are that the victim was
in love with petitioner and when relation was broken, the victim

lodged the case. During the course of investigation, the investigating officer also visited two hotels and found that the victim stayed with the petitioner in a hotel as husband and wife and in another hotel they stayed as sister and brother but the victim did not make any hue and cry at hotels while staying with the petitioner but it appears from the records that the victim has made very specific allegation that petitioner earlier eve teased her and thereafter committed rape with her.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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