

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31460 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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Pintu Kumar Ram @ Pintu Kumar S/o Late Ramraj Ram, resident of
Village- Dulhi, P.O-Karaji, P..S- Chand, District-Kaimur (Bhabua), Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-08-2016 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 376 of the Indian Penal Code registered in connection with Mahila (Bhabua) P.S. Case No. 21 of 2016.

3. It is submitted that the petitioner has been falsely implicated only in retaliation upon the break down of negotiation for marriage and admittedly the informant's parents had also been participating in the negotiation for marriage. From the medical examination of the complainant/informant, it transpires that there was complete absence of any spermatozoa and the hymen membrane was found intact. It was therefore opined that the so called victim had not passed through sexual intercourse till

then.

4. Learned A.P.P. assisted by learned counsel for the complainant/informant appearing suo motu oppose the anticipatory bail petition and submitting that the petitioner entered into physical relationship with the complainant/informant on the pretext of marriage.

5. Considering that the negotiation for marriage involving both families was going on since 2013 itself as well as the findings in the medical report, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kaimur at Bhabua in connection with Mahila (Bhabua) P.S. Case No. 21 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Vikash Jain, J)

Md.
Ibrarul/Chandran

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