

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16323 of 2016

Arising Out of PS.Case No. -286 Year- 2014 Thana -AJAMNAGAR District- KATI HAR

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Md. Najir Ansari @ Najir Ansari s/O- Late Mohiuddin, R/O- Maria
Singhpur, Ansari Tola, P.S.- Balia Belon (Kadwa), Distt.- Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 01-07-2016 Heard both sides.

The petitioner apprehends his arrest in Azamnagar P.S.
Case No. 286/14, registered for the offence punishable under
Section 376 and other sections of the Indian Penal Code.

The prosecutrix alleged that the petitioner forcibly took
her to Kolkata and other places and established physical relation
on the pretext of marriage.

It is submitted that the occurrence took place on
20.08.2014, but the complaint case is filed on 13.11.2014 on the
basis of which present F.I.R. was lodged.

It is submitted that all the allegations are false.
Prosecutrix is a major girl and in order to extract undue benefits
she lodged this case, but from perusal of the statement of victim

recorded under Section 164 Cr.P.C. as well as F.I.R. it appears that the victim is aged about 17 years. Although, the doctor has assessed her age between 17-18 years, but victim made allegation that petitioner established physical relation with her after taking her to different places. Petitioner is a married man.

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

If the petitioner surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail learned court below shall consider his prayer for regular bail on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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