

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57719 of 2015

Arising Out of PS.Case No. -189 Year- 2015 Thana -AJAMNAGAR District- KATIHAR

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Md. Mojjafer Son of Late Sikander R/o Village Siktiya Baria,
P.S.Azamnagar, District Katihar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 16-02-2016 Heard learned counsel for the petitioner, learned

counsel for complainant / informant and learned counsel for the

State.

The petitioner is apprehending his arrest in connection
with Azamnagar P.S.Case No. 189 of 2015 registered for the
offences punishable under Sections 341, 323, 376, 120(B) of the
Indian Penal Code.

Case diary in the present case was called for which has
since been received.

Learned Counsel for the petitioner submits that no case
under Section 376 is made out as the girl herself willingly
succumbed to having physical relations with the petitioner.

Learned counsel appearing on behalf of the informant

submits that inducement / allurement for having physical relations comes within the ambit of Section 376 of the Indian Penal Code.

Considering the facts and circumstances of the case and also the materials available in the case diary, I am not inclined to grant anticipatory bail to the petitioner.

It is, accordingly, rejected.

(Anjana Mishra, J.)

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