

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29369 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -RUNISAIDPUR District- SITAMARHI

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Santosh Sahni S/o Baidya Nath Sahni Resident of Village - Koshi, P.S. Runnisaidpur, District - Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Virendra Kumar, Advocate
For the Opposite Party : Mr. Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 30-08-2016 Heard counsel for the petitioner and Mr. Dayal, learned APP for the State.

On the basis of complaint a First Information Report was registered under Sections 376 and 504 of the IPC and Sections 3/4 of the SC/ST Act. Apprehending his arrest in the said case in the present application.

The victim girl has alleged that she attained the age of 15 years whereafter the petitioner by deceitful means allured her into physical relationship on the assurance that he would marry. She carried pregnancy whereafter pressure was mounted on him but he refused. The matter was reported to the family but no action was taken.

The contention of the petitioner is that from perusal of the

complaint, it would appear that the physical relationship was with consent of the parties. In fact, the criminal case has been launched to put pressure on the petitioner to solemnize marriage with her. There is no injury report with respect to the victim girl. The petitioner deserves anticipatory bail.

The learned APP opposed the prayer and contended that the witnesses have supported the prosecution case.

Looking to the gravity of the allegations and other materials reflected from the record, I am not inclined to grant anticipatory bail to the above named petitioner. Prayer is rejected.

(Kishore Kumar Mandal, J)

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