

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51102 of 2016

Arising Out of PS.Case No. -449 Year- 2016 Thana -PHULWARI District- PATNA

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Md. Jahangir @ Kaloot, aged about 19 years, Son of Md. Zafir, Resident of
Village- Nihura, P.S.- Janipur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-11-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 376 and 420 of the Indian Penal Code.

Allegation against petitioner is to have established
physical relationship with informant for the last eight years on the
pretext of marriage and later on refused to marry her.

It is submitted on behalf of the petitioner that he has got
no criminal antecedent. No allegation of tampering of witnesses is
alleged against petitioner. He has falsely been implicated in the
present case. The allegation made in the F.I.R. is denied by
petitioner. There is no medical examination report to support the
allegation made in the F.I.R.

On behalf of the State, it is submitted that petitioner is
named in the F.I.R. He had been obtaining consent for sexual
intercourse with informant on the pretext of marriage and
ultimately he has denied to marry the victim.

Considering the aforesaid facts and circumstances, I am
not inclined to grant anticipatory bail to the petitioner, same is
rejected.



Any how, if petitioner surrenders in the court below, i.e., Judicial Magistrate, Ist Class, Patna, in connection with Phulwari Sharif (Janipur) P. S. Case no. 449 of 2016 within a period of six weeks and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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