

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45812 of 2016

Arising Out of PS.Case No. -6 Year- 2016 Thana -JANKINAGAR District- PURNIA

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Sanjeet Kumar Yadav, Son of Lalan Yadav, R/o Village- Tetrahi, P.S.-
Jankinagar, District-Purnea

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate.
Mr. Dr. Bidhu Ranjan, Advocate.

For the Opposite Party : Mr. Gauri Shankar Gupta, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 13-01-2017 Heard both sides.

The petitioner apprehends his arrest in Jankinagar P.S.
Case No. 06 of 2016, registered for the offences punishable under
Section 376 and other Sections of the Indian Penal Code.

The victim alleged that the petitioner firstly committed
rape with her when she had gone to cut grass in her field but the
petitioner asked her not to raise alarm or disclosed the facts to
anybody else he could marry with her.

Learned counsel for the petitioner submits that the
petitioner continued to establish physical relationship with the
victim but ultimately the petitioner refused to marry. A Panchayati
was also held thereafter the victim lodged the case. It is further
submitted that from the contents of the FIR, itself, it would appear



that the victim was a consenting party or she voluntarily allow the petitioner to have sexual relationship on the pretext of marriage. It is further submitted that the entire allegation is false and concocted and the case has been filed only to put pressure so that the petitioner may marry with the victim but from perusal of the records, it appears that the victim made her statement under Section 164 Cr.P.C. and she disclosed her age to be 16 years. The doctor also assessed the age of the victim between 16-17 years.

Considering the facts aforesaid and the fact that the victim was minor, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

The petitioner, if so advised, may 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, his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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