

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1341 of 2017

Arising Out of PS.Case No. -403 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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Mukesh Kumar, Son of Bhagirath Kaji, R/o Village- Khanaura, P.S.-
Lakaria, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Manorama Kumari D/o Jangbahadur Urao r/o Ghagdahiya, P.s. –
Valmikinagar, West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Chandrasen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 28-03-2017 Heard both sides.

The petitioner apprehends his arrest in Shikarpur P.S.
Case No. 403/2016, registered for the offences punishable under
Sections 376, 313 and 420 of the Indian Penal Code.

The informant alleged that she was a teacher in a
school. The petitioner was also working as a teacher in the
aforesaid school. On the pretext of marriage, the petitioner
established physical relation with the informant and the informant
became pregnant. She further alleged that she is carrying
pregnancy of six months.

Mr. B.K. Pandey learned counsel for the petitioner



submits that the petitioner never established physical relation with the informant. The victim is not carrying any pregnancy.

It is submitted that on such submission, notice was issued to the victim, but the victim did not appear, but it transpired from perusal of the F.I.R. as well as case diary that the victim made allegation that the petitioner established physical relation with her on the pretext of marriage, but later on, the petitioner refused to marry with the victim. The witnesses have also stated the same facts.

Considering the facts aforesaid and nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in 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 the prayer for regular bail of the petitioner on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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