

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11405 of 2017

Arising Out of PS.Case No. -37 Year- 2016 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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Pramod Kumar Singh @ Pappu Singh, Son of Bhan Kumar Singh, resident
of Village- Mohania Ward No.- 10, P.S.- Mohania, District- Kaimur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Yogesh Chand Verma, Sr, Advocate
Mr. Sumeet Kumar Singh, Advocate
Mr. Abhiprav Singh, Advocate

For the Opposite Party : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 11-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Mahila (Bhabhua) P.S. Case No. 37 of 2016, registered for
the offence punishable under Section 376 of the Indian Penal
Code.

Allegedly, the petitioner called the informant and
committed rape with her. The informant was working as maid
servant in his house from earlier, the petitioner assured her to give
land to her and on that assurance started developing physical
relationship with her again and again but did not give land then
she refused to come thereafter the petitioner assaulted her.



Submission is of false implication and that the wife of the petitioner has lodged case against the informant and her husband on 26.11.2016 itself and thereafter this case has been lodged on 30.11.2016. The first occurrence is alleged to be of 20.11.2015 and after more than one year the case has been lodged and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that petitioner earlier committed forceful rape and thereafter on false assurance consented sex was developed.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest to him and accordingly his such prayer stands rejected in connection with Mahila (Bhabhua) P.S. Case No. 37 of 2016, pending in the Court of learned Chief Judicial Magistrate, Kaimur (Bhabhua).

(Jitendra Mohan Sharma, J.)

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