

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11188 of 2017

Arising Out of PS.Case No. -240 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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Md. Chand, Son of Md. Mikai, resident of village - Nagra, Police Station
Nathnagar, District - Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dilip Kumar, Advocate.

For the Opposite Party/s : Mr. Rajkishore Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 17-04-2017 Heard both sides.

The petitioner apprehends his arrest in Kahalgaon
P. S. Case No. 240 of 2016 registered for the offences under
Sections 376, 354, 109, 504 and 34 of the Indian Penal Code.

The informant made allegation that the petitioner
on the pretext of marriage established physical relation with her
while victim was minor. Her grand maternal mother has told
about the marriage of the victim with the petitioner. But later on,
parents of the petitioner refused to marry the petitioner with the
victim. It is also alleged that the petitioner along with his brother-
in-law came and outraged her modesty. The petitioner subjected
her to humiliation and that is why she made an attempt to end her
life.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. The victim herself wanted to marry with the petitioner.

Considering the aforesaid facts and the petitioner after refusal to marry tried to outrage the modesty of the victim, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, this anticipatory bail application is rejected.

However, if the petitioner surrenders in the Court below, the learned court below shall consider the prayer for regular bail of the petitioner without being prejudiced by the order of this court.

(Prabhat Kumar Jha, J)

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