

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61535 of 2018

Arising Out of PS. Case No.-20 Year-2018 Thana- MAHILA PS District- Gopalganj

Sanjeev Kumar Ram @ Sanjeev Ram, Son of Shiv Shankar Ram, Resident of
Village- Briti Tola, Police Station- Kuchaikote, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Lokesh Kumar Singh, Adv
For the Opposite Party/s	:	Mr. Sri Nawal Kishore Prasad, APP
For the Informant	:	Mr. Manager Sah, Adv

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 20-11-2018

Heard learned counsel for the petitioner
and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest
in a case registered for the offences punishable under
Sections 493,376/34 of the Indian Penal Code.

Allegation is that the petitioner was in
physical relation with the informant on the pretext of
marriage.

Submission is that the informant was a
major and was a consenting party to the physical
relation. Hence, offence of rape is not made out.

Learned counsel for the informant
opposed the prayer for anticipatory bail and submits



that the informant is still ready to marry with the petitioner.

In my view, prima facie offence of cheating is there against the petitioner, hence, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Gopalganj (Mahila) P.S.Case No.20 of 2018 pending in the court of learned Sub-Divisional Judicial Magistrate, Gopalganj.

Prayer is refused.

Petitioner is directed to surrender within three weeks.

(Birendra Kumar, J)

Nitesh/-

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