

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.249 of 2018

Arising Out of PS.Case No. -202 Year- 2017 Thana -MANJHI District- SARAN

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Sunil Kumar, Son of Sri Ram Sah, resident of Village- Mkhdumpur, P.S.-
Manjhi, District- Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Nath Mishra

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 15-01-2018 Heard both sides.

The petitioner apprehends his arrest in Manjhi P.S. Case No.202 of 2017 registered under Sections 376A of the Indian Penal Code.

The informant alleged that the petitioner on assurance and promise to marry with her physically exploited her but when the victim requested the petitioner to marry, the petitioner refused.

The learned counsel for the petitioner submits that the petitioner is a constable. She gave her consent out of her free will and no offence under Section 376 of the IPC can be made out.

But from the facts, it appears that the petitioner on false promise persuaded the victim to have sexual relational with him and the petitioner established his physical relation and exploited



her physically.

Considering the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail is hereby rejected.

(Prabhat Kumar Jha, J)

Sanjeev/-

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