

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60735 of 2018

Arising Out of PS.Case No. -89 Year- 2018 Thana -KOPA District- SARAN

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Raju Nut son of Bhola Nut, R/o. Village- Tekniwas, P.S. Revilganj,
District- Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 01-10-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection with Kopa P.S. Case No.89 of 2018, registered for the offences punishable under Sections 341/323/376/34 of the Indian Penal Code.

Allegation against the petitioner is that he physically exploited to the informant on the pretext of marriage. Subsequently, refused to marry.

Learned counsel for the petitioner submits that since the victim was a consenting party, the offence under Section 376 of the Indian Penal Code is not made out. Moreover, the informant had filed petition before the Court-below that under some misconception she had lodged this case.



Considering the nature of attribution, prima facie allegation of cheating is made out against the petitioner; I am not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail is refused. However, in the event of surrender of the petitioner within three weeks, the prayer for regular bail shall be disposed of without being prejudiced by the order of this Court and also considering the application of the informant filed before the learned Court-below.

(Birendra Kumar, J)

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