

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28375 of 2018

Arising Out of PS.Case No. -7 Year- 2018 Thana -MANJHI District- SARAN

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Nishant Kumar Rai S/o Ramashankar Rai, R/o Vill.- Sakardih, P.S.-
Jalalpur, District- Saran at Chhapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-06-2018 Petitioner apprehends his arrest in connection with Manjhi
P.S. Case No. 07 of 2018 registered for the offences punishable
under Sections 420, 406, 376 and 34 of the Indian Penal Code.

Allegation against the petitioner is that he has made
physical relationship with the informant on assurance of marriage
and when she became pregnant he refused to marry her. Further
allegation is that victim had gone to the house of the petitioner to
attend marriage of sister of the petitioner where she had gone with
all her ornaments of Rs. 1 lakh 50 thousand which were taken by
the petitioner and not returning the same.

Submission of learned counsel for the petitioner is that
whole prosecution case does not appear to be believable as the
occurrence was known to the mother of the informant and in spite



of that she had not objected and moreover her statement under Section 164 Cr. P.C. shows that she is major.

Heard learned APP and learned counsel for the informant, who has opposed the prayer for anticipatory bail and learned counsel for the informant has drawn my attention towards Annexure-A, to the petition which is the school certificate of Bihar School Examination Board, from which it appears that she is minor.

Having heard both sides and in the facts and circumstances, I am not inclined to grant to privilege of anticipatory bail to the petitioner, rather petitioner to surrender and make prayer for regular bail, which will be considered on its own merit.

(Vinod Kumar Sinha, J)

Priyanka/-

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