

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61632 of 2017

Arising Out of PS.Case No. -69 Year- 2016 Thana -MAHILA P.S. District- PATNA

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Kanhaiya Kumar @ Kanhaiya S/o Vakil Chandra @ Vakil Chandra Singh,
R/o Village- Dusadhi Badhar, P.S.- Piaro, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar Sinha

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-05-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Mahila P.S. Case No. 69 of 2016 registered for the offences punishable under Sections 376, 313 and 415 of the Indian Penal Code.

Allegation against the petitioner is of making physical relationship with the informant on the pretext of marrying her and she became pregnant and petitioner got her pregnancy terminated and now petitioner is not ready to marry her.

Submission of learned counsel for the petitioner is that she is major and FIR itself shows that she is a consenting party.

Heard learned APP also.

Having heard both sides and on perusal of the impugned



order it appears that in her statement under Section 164 Cr.P.C. she has deposed against the petitioner, in such a situation I am not inclined to grant privilege of anticipatory bail to the petitioner, rather petitioner to surrender and make prayer for regular bail, which shall be considered on the basis of materials available on record, without being prejudiced by order of this Court.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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