

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15394 of 2018

Arising Out of PS.Case No. -264 Year- 2017 Thana -BIRPUR District- SUPAUL

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1. Yusuf Alam, Son of Akhtar Alam, Resident of Village- Balbhaderpur,
Police Station- Birpur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Birpur P.S.Case nO.264 of 2017 registered for offences punishable under Sections 341, 342, 323, 376, 504, 325/34 of the Indian Penal Code and Section 3/4 of the D.P.Act.

Allegation against the petitioner is of making physical relationship with the informant and thereafter he refused to marry.

Submission of the learned counsel for the petitioner is that in her statement recorded under Section 164 Cr.P.C. she has stated that relationship was nonsexual and as such it does not support the prosecution case.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground



that witnesses have also supported the prosecution case and in spite of having physical relationship the petitioner is not ready to marry with the informant..

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner rather let the petitioner surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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