

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40574 of 2018

Arising Out of PS.Case No. -46 Year- 2018 Thana -SURSAND District- SITAMARHI

=====

Md. Anjad Ali, S/o Mohammad Jalauddin @ Md. Jalaluddin, Resident of
Village Chandpatti, P.S.- Sursand, Dist.- Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-07-2018

Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with
Sursand P.S.Case No. 46 of 2018 registered for the offences
punishable under Sections 376 and 493 of the Indian Penal Code.

Allegation against the petitioner is that on the assurance
of marriage he has committed rape upon the informant
continuously for one year and later on he refused to marry her.

Submission of learned counsel for the petitioner is that as
informant is major and from her own statement it appears that she
is a consenting party, as such no case under Section 376 IPC is
made out.

Heard learned APP also.

Having heard both sides and in view of allegation, I am



not inclined to grant privilege of anticipatory bail to the petitioner, rather petitioner to surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

spa/-

U			
---	--	--	--

