

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76045 of 2018

Arising Out of PS. Case No.-69 Year-2018 Thana- JALE District- Darbhanga

Md. Tauquir son of Md. Lallu, resident of Village- Tarwa Tariyani, Police Station- Kamtaul, District- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh

For the Opposite Party/s : Mr.Sri Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 10-07-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 323,376,504 and 506 of the IPC.

The prosecution case is based on the Complaint Case No. 389 of 2018 filed by the complainant Sayeeda Khatoon in the Court of the learned CJM, Darbhanga which was subsequently transferred under Section 156(3) of the Cr.P.C. and came to be registered as Jale P.S. Case No. 69 of 2018. It is alleged in the complaint petition that the complainant-informant developed intimacy with the petitioner and thereafter on pretext of marriage, the petitioner established physical relationship with her. When the complainant-informant conceived, the petitioner and his family members refused to marry. Subsequently, the complainant-informant gave birth to a male child.



It is submitted by learned counsel for the petitioner that the matter was compromised between the parties and a petition to that effect was filed before the learned Court below which has been brought on record.

On the joint prayer of the parties, the matter was referred to mediation but the report of the Mediator at Flag-M reflects that the issue could not be reconciled.

Learned counsel for the informant submits that the petitioner has not denied having established physical relationship with the informant and birth of a male child and the efforts were made to reconcile the issue in terms of marriage of the petitioner with the informant but the petitioner declined to marry with the informant.

Considering the nature of accusation under Section 376 of the IPC, this Court is not inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, dismissed.

(Dinesh Kumar Singh, J)

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