

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79496 of 2018

Arising Out of PS. Case No.-38 Year-2018 Thana- MAHILA P.S. District- Sitamarhi

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Bittu Kumar S/o Late Shankar Prasad All R/vill-Riga, P.S-Riga, Distt.-
Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha

For the Opposite Party/s : Mr.Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-02-2019 This application, for grant of anticipatory bail, arises

out of Sitamarhi Mahila P.S. Case No. 38/18, disclosing

offences under Sections 376 and 506 of the Indian Penal Code

and Section 4/6 of POCSO Act.

Allegation against the petitioner is of committing rape

on the informant, who is minor.

Submission of learned counsel for the petitioner is

that he is ready to marry with the informant but the informant is

not ready to marry with the petitioner, though, the allegation is

that petitioner established sexual relationship with the informant

on the pretext of marriage.

Heard learned A.P.P. as well as learned counsel for the

informant. They have opposed the prayer for bail and submitted

that the informant is minor.



Having heard both sides, considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if the petitioner makes submission that he is ready to marry with the informant and if the informant is also ready to marry with the petitioner, the court below shall disposed of the prayer for bail of the petitioner in accordance with law.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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