

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.29672 of 2019

Arising Out of PS. Case No.-137 Year-2018 Thana- PALANWA District- East Champaran

Sipahi Kumar @ Sipahi Mahto, aged about 26 years, Male, Son of Chhotelal Mahto, Resident of Village-Dhankutwa, Police Station-Majhauria, District-West Champaran at Bettiah.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Raghunandan Kumar Singh, Advocate
For the State : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 10-05-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 376, 406, 504 and 506/34 of the Indian Penal Code registered in connection with Palanwa P.S. Case No. 137 of 2018.

3. It is submitted that the petitioner has been falsely implicated on the accusation of establishing physical relationship with the informant on false pretext of marriage for two years and also taking away Rs. 12,000/- from her. It is submitted that the informant herself claims to be major of about 19 years of age and as such, the consensual physical relationship between the parties would not constitute an offence under Section 376 of the IPC. The petitioner claims clean antecedents.

4. Having regard to the nature of accusations, gravity of offence alleged as well as the medical report which estimates the age of the informant to be 17-18 years and in the backdrop of allegation that the physical relationship had been established about



two years prior to the occurrence, this Court is not inclined to grant anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

BT/-

U		T	
---	--	---	--

