

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32445 of 2019

Arising Out of PS. Case No.-214 Year-2018 Thana- PATEPUR District- Vaishali

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ARUN KUMAR SAH Son of Shankar Sah Resident of Village - Khesrahi,
P.S.- Patepur, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surya Kant Mishra
For the Opposite Party/s : Mr.Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-05-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Patepur P.S.Case No.214 of 2018, G.R.No.6720 of 2018 dated 13.12.2018 registered for offences punishable under Sections 376/315 of the Indian Penal Code.

Allegation against the petitioner is of having physical relationship with the informant for six months on the pretext of marrying her and when she became pregnant, the same was miscarriaged by the petitioner.

Submission of the learned counsel for the petitioner is that the relationship was consensual and now the parties have also compromised the case and filed a compromise petition before the learned court below.

Heard learned A.P.P. also, who has opposed the prayer for



bail on the ground that the girl was minor, which will appear from her statement recorded under Section 164 Cr.P.C.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may pray for regular bail, which will be considered on the basis of submissions as made above.

With the above direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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