

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38584 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- BALIA BELON District- Katihar

NITESH KUMAR Son of Logen Parihar R/O- Pilkhana, Benijalpur, P.S.-
Balial Belon, Distt. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 18-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 376 and 504/34147, 149, 447, 341, 323, 307, 354B and 379, registered in connection with Balial Belon P.S. Case No. 18 of 2019.

3. It is submitted that the petitioner has been falsely implicated on the accusation of establishment of physical relationship with the informant on the promise of marriage, but subsequently he has resiled from his promise. It is submitted that, as a matter of fact, there was love affairs between the petitioner and the informant and physical relation between them was consensual. The informant is a major lady of about 20 years of age. The petitioner claims clean antecedents.



4. Learned APP, assisted by learned counsel for the informant, appearing suo motu, opposes the petition.

5. Learned APP, refers to the informant's statement recorded under Section 164 Cr. P.C. in which she has claimed her age as 15 years and has been assessed to be about 16 years. It is, therefore, submitted that the informant is a minor girl.

6. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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