

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57189 of 2019**

Arising Out of PS. Case No.-70 Year-2019 Thana- PHULWARIA District- Begusarai

MANISH MAHTO @ MANISH KUMAR S/o Triloki Mahto R/o village-
Sokhara- Ward No.- 2, Sograha- Barauni, P.S.- Phulwaria, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Rajeev Nayan (App 231)

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 18-09-2019 Heard both sides.

The petitioner apprehends his arrest in Fulwaria P.S.
case No. 70 of 2019 registered under Section 376 of the IPC.

The victim alleged that petitioner came across with
her while she was going to coaching institute. The petitioner
established physical relation with her on the pretext of marrying
with her. It is further alleged that when the victim attained her
majority the petitioner refused to marry the victim.

The learned counsel for the petitioner submits that the
medical report does not support the factum of sexual
intercourse. The victim has attained majority and petitioner is
ready to solemnize marriage with her.

Taking into consideration the fact that the petitioner
sexually exploited the victim, who was a minor girl, for years and



later on refused to marry with her, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner solemnizes marriage with the victim and thereafter surrenders in the court below, the learned court below shall consider the prayer for regular bail of the petitioner on its merit without being prejudiced by this order taking into consideration the fact that the petitioner has already solemnized marriage with the victim.

(Prabhat Kumar Jha, J)

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