

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32940 of 2020

Arising Out of PS. Case No.-13 Year-2020 Thana- MAHILA PS District- Buxar

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KAMAL KUMAR Son of Ram Tarkeshwar Turha Resident of Village -
Kesath, Ward No. -15, P.S. Nawanagar, Dist. - Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mr. Rajendra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 22-02-2021 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Buxar (Mahila) P.S. Case No.13 of
2020 instituted for the offences under Sections 376, 420,
504 and 516 of the Indian Penal Code.

The accusation against the petitioner is of having
sexually exploited the victim on the pretext of marrying her.

Learned counsel for the petitioner has submitted
that the dispute lies somewhere else. The family of the
victim owed money to the father of the petitioner but instead
of returning the same, this false case has been instituted.



Apart from this, it has been urged that there has been a settlement between the parties and now the informant does not want to prosecute the petitioner any further. It is further submitted that the accusation of sexually exploiting the victim on the pretext of marriage is absolutely incorrect as there is prohibited relationship between the petitioner and the victim.

However, these grounds do not weigh with this Court for granting anticipatory bail to the petitioner.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the Court below and seeks bail, all these grounds shall be taken into account and the order shall be passed, without being prejudiced by the fact that the present petition for grant of anticipatory bail has not been entertained.

(Ashutosh Kumar, J)

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