

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40455 of 2020

Arising Out of PS. Case No.-43 Year-2020 Thana- PAHARPUR District- East Champaran

Murari Yadav @ Murari Kumar, aged about 21 years, Male, Son of Sunil Yadav, Resident of Village - Bakhriya, P.S.- Majhulia, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Gaurav Govind, Advocate
For the State	:	Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 29-11-2021

Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioner seeks anticipatory bail in connection with Paharpur P.S. Case No. 43 of 2020 registered under Sections 376, 313, 120-B/34 of the Indian Penal Code.

It is being submitted by learned counsel for the petitioner that this is a case of consensual sex but subsequently the victim has alleged that on false pretext of marriage, the petitioner has established sexual relation with her.

Apart from the allegation of rape there are other allegations also against this petitioner. However, in a case under Section 376 of the Indian Penal Code, the statement of the victim is enough.



In such view of the matter, in the opinion of the Court, this is not a fit case for grant of anticipatory bail to the petitioner. Accordingly, this anticipatory bail application is dismissed.

(Sandeep Kumar, J)

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