

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28933 of 2021

Arising Out of PS. Case No.-88 Year-2020 Thana- MAHILA P.S. District- Nalanda

ROHIT KUMAR S/o- Bali Ram Raj Banshi Resident of Village- Chhoti Mahuli, P.S.- Nawada, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Adv.

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 29-01-2022 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned APP for the State through video conferencing.

The petitioner apprehends his arrest in connection with Mahila P.S. Case No. 88 of 2020, registered for the offences punishable under Sections 376 of the Indian Penal Code.

As per allegation, the informant developed love with the petitioner and on the pretext of marriage the petitioner made physical relations with her but he retracted from his promise of marriage. When the mother, father and brother of the informant went to the house of the petitioner to request him for marriage, he refused.

Learned counsel for the petitioner has submitted that in medical examination there is no evidence of sexual relation. He has



also submitted that the act of the petitioner is not covered under Section 376 of the Indian Penal Code.

There is allegation against the petitioner that he enticed the victim for marriage and on the basis of that enticement he made physical relations with the informant and thereafter he retracted from his promise of marriage. As such, the petitioner is not entitled to grant of anticipatory bail.

Accordingly, his prayer for anticipatory bail is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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