

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28596 of 2022**

Arising Out of PS. Case No.-685 Year-2020 Thana- MOTIHARI MUFASIL District- East  
Champaran

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BIRENDRA RAUT @ BIRENDRA KUMAR Son of Late Banhu Raut  
Resident of village - Adhkapariya, P.S.- Ramgadwa, District - East  
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Aditya Nath Jha, Advocate  
For the Opposite Party/s : Mr.Lalan Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      30-01-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner apprehends his arrest in connection  
with Bettiah (M) Banuchhapar P.S. Case No. 685 of 2020 for the  
offence registered under Sections 376, 366A and 34 of the  
Indian Penal Code and Section 8 of the POCSO Act.

As per the FIR, the lady alleged that the petitioner  
established physical relationship with her on the pretext of  
marriage and later started ignoring her. Sometimes later, the  
accused persons came and demanded motor bike and also Rs. 2  
lakhs. However, Rs. 1 lakh was given to them. In the meantime,  
she became pregnant and upon knowledge, the petitioner agreed  
to marry her but on 26.09.2020, he eloped with her younger  
sister. When the parents complained to his family members, the



petitioner came forward and denied return of her minor sister,  
Jolly Kumari.

Considering the kind of allegation that has come  
against the petitioner herein of having made physical  
relationship with the lady and later kidnapped the minor sister of  
her, this Court is not inclined to grant him privilege of  
anticipatory bail, which is accordingly rejected.

**(Rajiv Roy, J)**

Jagdish/Neha/-

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