

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.924 of 2024

Arising Out of PS. Case No.-281 Year-2018 Thana- BANIAPUR District- Saran

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JAVED ALAM @ MD. JAVED ALAM S/O MD. ABBAS @ AVAS ALEE
R/O VILLAGE- BANIYAPUR, P.S- BANIYAPUR, DISTT.- SARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends his arrest in connection with Baniyapur P.S. Case No. 281 of 2018 for the offence registered under Section 493 of the Indian Penal Code and Section 3/4 of the D.P. Act lodged on 23.08.2018 by the informant, Mehroon Khatoon.

3. The allegation in the FIR is that on the pretext of marriage, the petitioner exploited the lady and made physical relationship with her and when she insisted on marriage, he turned his eyes away.

4. Considering the aforesaid facts, his anticipatory bail application was rejected on 06.02.2023 in Cr. Misc. No. 60159 of 2023. However, it was observed that if the petitioner



surrenders within four weeks, the Court shall pass necessary order without being prejudiced by any observation made.

5. Instead of surrendering before the Court, almost one year later, the fresh petition for grant of anticipatory bail.

6. Mr. Jitendra Kumar Singh, learned APP submits that it is complete abuse of the process of section 438 (2) of the Cr.P.C.

7. There is no need to relook on the said matter, the anticipatory bail petition once again stands rejected.

8. It is ironical that in a case lodged in a year, the petitioner is preferring Anticipatory bail application(s) at will after lapse of five years without either the Police and/or court taking any steps whatsoever.

(Rajiv Roy, J)

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