

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30970 of 2013

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Raushan Sahni, son of Ram Sewak Sahni, resident of village-Ladaho, P.S.-
Biraul, District-Darbhangha. Petitioner.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s	:	Mr. Ashutosh Kumar, Adv.
		Mr. Rana Vikram Singh, Adv.
For the Informant	:	Mr. Girish Chandra Jha, Adv.
For the State	:	A.P.P.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

03 24-12-2013 The petitioner apprehends his arrest in Biraul P.S. Case
No.202 of 2012 instituted under Sections-376, 316 & 504/34 of
the Indian Penal Code.

The case of the prosecution is that informant's daughter,
aged about 14 years, was induced into having sex by the petitioner
and when she became pregnant the petitioner was asked to marry
her. He gave her medicine for abortion. She became very critical
but after long treatment she became normal.

Learned counsel for the petitioner refers to the medical
report that the girl was virtually adult and not of 14 years as
alleged. The report of the medical board does not suggest any
abortion or for any such complication though the report is almost
three months after the incident of abortion. Mr. Ashutosh Kumar,
learned counsel for the petitioner submits that if one looks to the
statement of the girl under Section-164 Cr.P.C., the F.I.R. and the

medical report, it would clearly show that the girl is in fact a major and she indulged in consensual sex.

Be that as it may, in the event of arrest or surrender within four weeks from today, the petitioner, namely, Raushan Sahni, shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of S.D.J.M., Biraul, Darbhanga in connection with Biraul P.S. Case No.202/12, subject to all conditions as laid down in Section-438(2) of the Criminal Procedure Code.

(Navaniti Prasad Singh, J.)

Trivedi/-