

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24480 of 2014

Arising Out of PS.Case No. -254 Year- 2013 Thana -KHODABANDPUR District- BEGUSARAI

Santosh Kumar Mahto son of Mahesh Mahto resident of village - Bariarpur West, Police Station - Khodawandpur, District - Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Uma Shankar Prasad Singh, Advocate

For the Opposite Party/s : Mr. P.K.Panday(App)

For the informant : Mr. Binod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 08-01-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since 31.12.2013 in a case registered for the offences punishable under Section 376 of the Indian Penal Code.

The prosecution case is that the informant was ravished by the petitioner on 19.09.2013 on giving life threats, thereafter the informant got pregnant. Subsequently the pregnancy was terminated. The petitioner did not accept the verdict of the Panchayat, hence, the case was lodged on 15.12.2013.

It is submitted by learned counsel for the petitioner that after three months of the occurrence the FIR has

been lodged. The medical report suggests the age of the victim between 15-17 years, which does not suggest any sign of rape or pregnancy being terminated.

A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

It is submitted by learned counsel for the informant Mr. Binod Kumar that the issued has been reconciled between the parties and petitioner has already been married with the informant.

Considering the contention of the learned counsel for the informant, the delayed lodging of the case and the accusation not being corroborated by the medical opinion, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Khodawandpur P.S. Case No. 254 of 2013.

(Dinesh Kumar Singh, J)

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