

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26392 of 2015

Arising Out of PS.Case No. -41 Year- 2015 Thana -KHAJEKALLAN District- PATNA

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Md. Firoj son of late Siddique Resident of Mohalla- Naudhal Haidri
Colony, P.S.- Khajekhalan, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Kamlesh Prasad Yadav

For the Opposite Party/s : Mr. Nand Kishore Pd. (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 17-09-2015

Heard both sides.

The petitioner seeks bail in a case under Sections
376, 506, 34 of the Indian Penal Code.

The victim made allegation that the petitioner, on the pretext of marrying with her, established physical relation and subsequently she became pregnant, but the petitioner refused to marry the prosecutrix. It is submitted that the allegation is false. The victim is a major girl, aged about 19 years, as per the assessment made by the doctor in the medical report. The mother of the victim wanted to marry the petitioner with the victim and that is why this false case has been filed.

Taking into consideration the fact that the victim is a major girl and she herself alleged that on the pretext of marriage, the petitioner established physical relation with her but she did not

object, the victim appears to be a consenting party.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Patna City in Khajekalan P.S. Case No. 41 of 2015.

(Prabhat Kumar Jha, J)

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