

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52146 of 2015

Arising Out of PS. Case No. -19 Year- 2015 Thana -BHANGAHA District- WEST
CHAMPARAN(BETTIAH)

=====

Sadul Mian @ Amamul Ansari son of Osiyar Mian, resident of village
Surypur, P.S. Bhangaha, Dist. West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Umeshanand Pandit(App)

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

2 16-12-2015

Heard both sides.

The petitioner seeks bail in Bhangaha P.S. case no.
19 of 2015 registered under Sections 376, 313/34 of the IPC.

The allegation is that the informant who is 20 years of
age was defrauded by the petitioner and was subjected to sexual
intercourse on repeated occasions. Subsequently she became
pregnant. Petitioner forced her to abort her pregnancy and
refused to marry.

Contention of the petitioner is that lady who is aged
about 20 years was living in relationship. It was a physical
relationship with the consent of the informant. In the statement
made by her under Section 164 of the Cr. P.C. same thing has
been disclosed. Petitioner is in custody since 17.8.2015.

Learned APP opposed the prayer and contended that she was made to believe that he will marry and obtain the consent. Still it may be a case under Section 376 of the IPC.

Considering the facts and circumstances of the case, for the present, I am not persuaded to release the petitioner on bail. Prayer is, accordingly, rejected.

If the trial does not commence and record adequate progress within 06 months from the date of receipt/ production of a copy of this order, the petitioner shall have liberty to renew prayer for bail in the Court below itself.

(Kishore Kumar Mandal, J)

Shyam/-

U		T	
---	--	---	--