

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4365 of 2015

Arising Out of PS.Case No. -57 Year- 2014 Thana -KASBA District- PURNIA

=====

1. Abuzar S/o Abdul Mazhar R/o Village Lakhna, P.S. Kasba, District
Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Vinod Shankar Modi (APP)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3. 11-03-2015. Heard the parties.

Petitioner seeks bail in a case registered under Sections
376 and 386 IPC.

The victim filed complaint petition on the basis of
which, the first information report has been drawn. The victim
made allegation that the petitioner, on the pretext of marry with
her, committed rape with her and thereafter the petitioner
continued to establish physical relation with the victim. When the
victim became pregnant, the petitioner and his family members
refused to marry her.

Learned counsel for the petitioner submits that the
petitioner is ready for DNA test of pregnancy itself, but the victim
herself did not agree.

Learned counsel for the informant, however, opposed the
prayer for bail.

It appears that on being assured of marriage, the petitioner
had consensual sex with the victim but later on the victim on

refusal to marry lodged the case.

Considering the facts aforesaid and the nature of allegation, the petitioner, named above, 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 2nd Additional Sessions Judge, Purnea in connection with Sessions Trial No.1193 of 2014 arising out of Kasba P.S.Case No. 57 of 2014.

(Prabhat Kumar Jha, J.)

ahk/-

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