

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23303 of 2016

Arising Out of PS.Case No. -1210 Year- 2015 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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Baban Kumar S/o Late Chhathu Yadav, R/o Quarter No. 9ABK (out House), Stadium Road, East Colony, Jamalpur, P.S.- East Colony, Jamalpur, District- Munger.

.... Petitioner

Versus

1. The State of Bihar
2. Soni Kumari, D/o Ashok Paswan, resident of Kalha Road, Q. No. 17 DEK Out House, P.S.-East Colony, Jamalpur, Dist-Munger.

.... Opposite Parties

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Appearance:

For the Petitioner : Mr. Arvind Kumar Sharma, Advocate.

For the Opposite Parties : Mr. Braj Kishore Pd, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

4 02-08-2016

Heard both sides.

The petitioner apprehends his arrest in Complaint Case No. 1210C of 2015 under Sections 313 and 376 of the Indian Penal Code.

The complainant alleged that the petitioner was imparting tuition to her and she developed love affairs with him. The petitioner got job in Indian Railway. The complainant used to visit the house of the petitioner and the complainant became pregnant, but the petitioner got her aborted. Later on, the petitioner refused to marry with the complainant.

It is submitted that there is no medical report on the record which shows that the complainant was ever pregnant. The complainant was major and she wanted to marry with the

petitioner that is why this case has been lodged.

On the other hand, learned counsel for the complainant opposed the prayer for anticipatory bail and submitted that in the year 2012 the complainant was minor.

It appears that the complainant herself stated that she developed love affairs with the petitioner and with her consent, sexual relation was established between them. There is no medical report on record.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Additional Chief Judicial Magistrate-III, Munger in Complaint Case No. 1210C of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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