

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.540 of 2016

Arising Out of PS.Case No. -49 Year- 2015 Thana -MAHILA P.S. District- MADHUBANI

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1. Ram Sundar Thakur @ Ram Sundra Thakur son of Late Amrit Thakur,
resident of Village- Bihnagar, P.S.- Pandaul, District Madhubani (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar

For the Opposite Party/s : Mr. Md.Arif(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 07-01-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 16.09.2015 in a

case registered for the offences punishable under Sections 376 of

the Indian Penal Code and 3 (i) (xii) of S.C./S.T. (Prevention of

Atrocities) Act.

The accusation against the petitioner is that he

established physical relation with informant on false promise of

her maintenance as a result whereof, informant became pregnant

but later on, petitioner refused to maintain her.

The statement of victim has been recorded under

Section 164 of the Cr.P.C. and she was found pregnant but

admittedly, informant was major at the time of alleged occurrence

and she was aware of pros and cons of physical relation with petitioner. Moreover, informant appears to be a consenting party.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the 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 Sub Divisional Judicial Magistrate, Madhubani in connection with Madhubani Mahila P.S. Case No. 49 of 2015.

(Hemant Kumar Srivastava, J)

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