

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44868 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -PURUSHOTTAMPUR District-
 WESTCHAMPARAN(BETTIAH)

=====

1. Om Prakash Kushwaha @ Vikash Kumar Son of Shambhu Prasad,
 resident of Village- Bhathuahwa, P.S.- Manpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satyavrat Verma

For the Opposite Party/s Sri Ajit Kumar

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 07.12.2016 Heard learned counsel for the petitioner as well as
 learned Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with a
 case registered under sections 420, 376, 120B of the Indian
 Penal Code and section 4 of the POCSO Act.

Originally, informant filed complaint case which was
 converted into police case. The accusation against the petitioner
 is that he established physical relation with the informant who
 claims, herself, to be minor and subsequently, petitioner refused
 to solemnize his marriage with the informant.

Submission on behalf of the petitioner is that he is
 student of B.Com (Hons) and, as a matter of fact, family
 members of the informant gave proposal of marriage but when
 the petitioner refused the aforesaid proposal, they set up the
 informant and got instituted this false case. It is further



submitted that informant is major girl because medical board examined her on 19.7.2016 and found her aged about 17 to 19 years.

Considering the aforesaid facts and circumstances as well as submissions of the parties, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge I-cum- Special Judge, Bettiah District West Champaran in Purushottampur P.S. Case no. 17/2016 subject to condition as laid down under section 438(2) of the Cr.P.C.

shahid

(Hemant Kumar Srivastava,J)

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

