

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28104 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -KHODAWANPUR District- BEGUSARAI

1. Ajay Kumar Son of Pawan Kumar Mahto resident of village - Patala,
Police Station Khodawandpur, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Narbadeshwar Prasad Singh

For the Opposite Party/s Smt. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 17.10.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State assisted by learned counsel for
the informant.

Petitioner seeks bail in a case registered under sections 376,
315, 504/34 of the Indian Penal Code and section 4 of the POCSO
Act.

The accusation against the petitioner is that he established
physical relation with the victim on false promise of marriage. The
statement of victim has been recorded under section 164 Cr.P.C in
which she stated that the petitioner established physical relation with
her as a result whereof she became pregnant but the petitioner gave
some medicine to her as a result whereof her pregnancy was aborted.

From perusal of the case diary, I find that victim and
petitioner are relative and the witnesses claim that the petitioner used
to visit the house of victim regularly. Moreover, there is nothing on

the record to show that abortion of the victim was done. Investigation against the petitioner has already been completed.

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/- with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge I-cum Special Judge, POCSO Act, Begusarai in Khodawandpur P.S. Case no. 34/2016.

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(Hemant Kumar Srivastava,J)

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