

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15 of 2016

Arising Out of PS.Case No. -342 Year- 2015 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Jagar Nath Yadav @ Jag Nath Yadav Son of Nohar Yadav Resident of
Village-Mangalpur, P.s Bagaha(Patkhauli) District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 25-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Bagaha(Patkhauli) P.S. Case No. 342 of 2015 registered for the
offences punishable under Sections 341, 323, 313, 376, 504, 34 of
the Indian Penal Code.

Allegedly, the petitioner after making promise to
marry with the informant started developing sexual relationship
with her for last 3 years and when the informant became pregnant
then her pregnancy was terminated with the help of other co-
accused and they refused for marriage. Again on 10.8.2015 in the
night the petitioner developed physical relationship with the

informant and again refused to marry with her.

Submission is of false implication and that there is no independent witness to support the prosecution version, medical evidence also does not support the recent sign of sexual assault and age of the victim has been assessed as 20 years.

Learned A.P.P. opposes the prayer of bail by submitting that the petitioner has ruined the life of the informant and she in her statement recorded under Section 164 Cr.P.C., has supported the prosecution version.

In the facts and circumstances stated above, at this stage I am not inclined to enlarge the petitioner on bail and accordingly, his prayer stands rejected.

(Jitendra Mohan Sharma, J)

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