

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4899 of 2017

Arising Out of PS.Case No. -366 Year- 2016 Thana -SAUR BAZAR District- SAHARSA

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Pramod Kumar @ Pramod Kumar Priyadarshi, son of Late Jay Kishor Yadav, resident of Village- Kariyat, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. P.K. Singh, Advocate.
Mr. Durgesh Kumar, Advocate.
For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.
For the Informant Mr. Manish Lal Das, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-02-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner seeks anticipatory bail in a case instituted for the offence under Sections 341, 342, 323, 376, 313, 504, 506, 34 of the Indian Penal Code and Section 4 of the POCSO Act.

It is alleged in the written report that the petitioner established physical relationship with the informant on the pretext of marrying her, on account of which, she became pregnant. Thereafter, the petitioner with other accused persons took her in a private nursing home and forcibly injected medicine in her private part on account of which she became senseless. Subsequently, in



that very evening, the petitioner took her on the motorcycle and left near Motipokhar and fled away. On her cry the neighbours and informant's family came there and brought her to the house but after some days, her pregnancy terminated on account of the medicine injected by the petitioner in Nursing Home by a private doctor.

It has been submitted on behalf of the petitioner that in retaliation, this case has been filed because there was marriage negotiation with family of the petitioner and the informant's family for which a complaint case 1035C of 2016 has been filed by the uncle of the petitioner which is annexed as Annexure-2.

From perusal of the complaint petition, it appears that the same has been filed on 28.9.2016 whereas the informant had already filed a case against the petitioner on 23.9.2016. As such this Court considers that the same has been filed, later on, just to make a defence.

Considering the aforesaid facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner stands rejected.

The petitioner is directed to surrender before the court



below and pray for regular bail.

S.Ali/-

(Sanjay Priya, J)

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