

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17124 of 2017

Arising Out of PS.Case No. -90 Year- 2016 Thana -HATHAURI District- SAMASTIPUR

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Santosh Jha, S/o Late Bihari Lal Jha, Resident of Village-Chhautane, P.S.-
Hathauri, District-Samastipur.

.... Petitioner

Versus

1. The State of Bihar
2. Sonali Kumari, D/o Shyam Sundar Singh, R/o Village- Bandiha, P.S.-
Rosera, District-Samastipur.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Md. Mushtaque Alam, Advocate.

For the Opposite Parties : Mr. Ajit Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-07-2017 Heard both sides.

The petitioner apprehends his arrest in Hathauri (Shivaji Nagar O.P.) P.S. Case No. 90 of 2016 registered for the offences punishable under Sections 420, 406, 376, 498(A), 313, 315, 504, 323 and 386 of the Indian Penal Code and under Sections 3/4 of the POCSO Act.

The informant made allegation that she developed love affairs with Pravin Kumar. Pravin Kumar established physical relationship with the informant on the assurance to marry with her. The informant became pregnant but Pravin Kumar got her aborted and refused to marry with the informant.

Learned counsel for the petitioner submits that there is



no specific allegation against the petitioner. The petitioner is not connected or related either with the informant or Pravin Kumar. Only allegation against the petitioner is that he also visited the hospital while the informant was under treatment. It is further submitted that the informant made her statement under Section 164 Cr.P.C. but she did not whisper even a single word against the petitioner.

Learned APP did not dispute this fact.

Considering the facts, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st-cum-Special Judge, POCSO Act, Samastipur in Hathauri (Shivaji Nagar O.P.) P.S. Case No. 90 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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