

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32279 of 2018

Arising Out of PS.Case No. -85 Year- 2017 Thana -MUFFASIL
District- WEST CHAMPARAN(BETTIAH)

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Pintu Kumar, S/o Shri Jaynarayan Sah @ Bhikhari Sah, R/o Vill.- Lalgah,
P.S.- Bettiah Muffasil, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 29-06-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 24.01.2018 in connection with S.G.R. Case No.12 of 2017, arising out of Bettiah Muffasil P.S. Case No.85 of 2017, registered for the offence under Sections 376, 304, 314/34 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act.

Learned counsel for the petitioner submits that entirely false and frivolous allegation has been made against the petitioner and that such allegation should have been levelled prior to the death of the victim girl. It is further submitted that it is highly improbable that any Doctor can carry out any abortion



on eight months' old foetus in an advanced stage of pregnancy. The main reason for which such allegation has been made is that the father of the girl and the petitioner had a land dispute and for the said reason, the petitioner and his brother have been made accused in connection with the present case.

Diary in the present case was called for, which has since been received.

Learned counsel appearing on behalf of the State submits that save and except the said allegations made, there is no further material in the case diary to support the case of the prosecution.

In view of such facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-1st-cum-Special Judge, Bettiah, District-West Champaran, in connection with S.G.R. Case No.12 of 2017, arising out of Bettiah Muffasil P.S. Case No.85 of 2017.

(Anjana Mishra, J)

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