

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67721 of 2018

Arising Out of PS. Case No.-69 Year-2018 Thana- PAKRIDAYAL District- East Champaran

Amodi Bhagat, Son of Late Vilas Bhagat, Resident of Village-Dumarwana,
Ward No. 8, P.S.-Pakridayal, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Pakridayal P.S. Case No.69 of 2018 registered for the offence
punishable under Sections 344, 323, 313, 315, 493 and 498 read
with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that the entire story narrated by the informant in the
first information report is false. He contended that the informant
is a widow having two sons and two daughters and from perusal
of the first information report itself it would appear that she was
in relationship with the petitioner for over one year and six
months out of her own sweet will and when the petitioner
refused to marry her, she instituted the first information report.



He contended that the informant was physically and mentally capable to understand the consequences of consensual sex and she has falsely alleged that the petitioner administered some drug as a result of which, her pregnancy got terminated.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner.

Considering the nature of allegation and the submissions made above, in the event of arrest or surrender in the court below within a period of six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, East Champaran, Motihari in connection with Pakridayal P.S. Case No.69 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--

