

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9121 of 2019

Arising Out of PS. Case No.-85 Year-2018 Thana- MAHILA P.S. District- Madhubani

Chhotu Paswan S/o Narayan Paswan R/o Village- Kasiyouna Karhiya East,
P.S- Raj Nagar, District-Madhubani.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Ms. Anita Kumar Singh, Advocate.
For the State	:	Mr. Kumar Veerendra Narayan, A.P.P.
For the Informant	:	Mr. Gagandeo Yadav, Advocate.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 09-05-2019 Heard.

The petitioner apprehends his arrest in connection with Mahila Police Station Case No.85 of 2018/G.R. No.2010 of 2018 registered under Sections 328, 376 and 313 of the Indian Penal Code besides Section 67 of the I.T. Act.

The accusation is that the informant, who is aged about 21 years and is student of B.A., used to go to attend the coaching run by the petitioner in village-Kasiyouna Karhiya. The petitioner on the pretext of performing the marriage, developed physical relation with the informant. The petitioner in absence of the mother of the informant used to visit at her house and make physical relation with her. When the informant used to make protest, the petitioner gave threatening to take her



nude photograph and ruin her life. Due to that reason, she did not make complain to any one. While the informant was pregnant but the petitioner refused to perform marriage. On 23.08.2018, the petitioner called the informant on telephone and when she reached at the house of the petitioner, then Ramrati Devi, Asha Devi and this petitioner administered medicine to her, due to which her health started deteriorating. Thereafter, the informant was rushed to the hospital. While the father of the informant was going to lodge the case but the villagers forbade him, saying that the Panchayati would be arranged in the village. While the Panchayati was held on 05.09.2018, but the petitioner and his family members refused to obey the decision of the Panchayati.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the informant used to go to the coaching of the petitioner for tuition. Thereafter, the family members of the informant asked the petitioner to perform the marriage with the informant but till that period, the marriage of the petitioner had already been settled at another place. On refusal, the informant has lodged the present case. Further submission is that, in fact, no Panchayati was arranged in the village, therefore, no question arises in not obeying the decision of the Panchayati by



the petitioner.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Madhubani, in connection with Mahila Police Station Case No.85 of 2018/G.R. No.2010 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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