

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16930 of 2019

Arising Out of PS. Case No.-173 Year-2016 Thana- MAHILA P.S. District- Nalanda

PRITHVI PASWAN Son of Shiv Kumar Paswan Resident of Village-
Etasang, P.S.- Rahui, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-03-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Mahila P.S. Case No.
173/2016, instituted for offences under Section(s) 376, 504 and
34 of the Indian Penal Code read with Section 4/8 of POCSO
Act.

Learned counsel for the petitioner has submitted that
it is a matter of love affair between the informant and petitioner.
The girl has been medically examined. The doctor has assessed
the age of victim to be between 18 to 19 years.

It is alleged in the written report that informant and
petitioner used to take tuition from a common teacher. In that
course, informant developed intimacy with this petitioner. It is
alleged that on the pretext of marriage, petitioner established



physical relationship with informant several times. He finally refused to perform marriage.

From the written report itself it appears that aforesaid act has been done with consent of informant.

Petitioner is in custody since 19.11.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge-cum-Special Judge, Nalanda at Biharsharif, in connection with Mahila P.S. Case No. 173/2016, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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