

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20916 of 2019

Arising Out of PS. Case No.-33 Year-2018 Thana- MAHILA P.S. District- Sheohar

DILIP KUMAR Son of Dinesh Ram Resident of Village- Chhatauni Tariyani,
P.S.- Tariyani, District-Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Thakur

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-04-2019 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Sections
323, 341, 376(2)(i), 504, 506 of the Indian Penal Code and Section-4
of the POCSO Act.

Allegation against the petitioner is of establishing physical
relation with the informant's daughter for about eight months on the
false pretext of marriage, as a result of which, the victim became
pregnant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
is in custody since 26-02-2019. Charge sheet has already been
submitted. On false pretext of marriage, the petitioner is alleged to
have established physical relation. Later on, he retracted from the
said promise. Hence the present case has been instituted. It has been



further alleged that out of establishing physical relation with the petitioner, the victim gave birth to a child. The said allegation is denied by the petitioner.

On behalf of the informant, it has been submitted that DNA test of the child, in question, be conducted. Counsel for the petitioner has no objection for the same. The informant will be at liberty to file an application before the court below for getting DNA test of the child carried out, the cost of same will be paid by the petitioner. If any such application is filed on behalf of the informant, the court below will consider the same and pass a necessary order.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional Sessions Judge-cum-Special Judge, Sheohar in connection with Sheohar Mahila P.S. Case No. 33 of 2018.

(Sudhir Singh, J)

A.K.V.//-

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

