

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34118 of 2019

Arising Out of PS. Case No.-124 Year-2018 Thana- AURAI District- Muzaffarpur

Indrajeet Kumar @ Indrajeet Kumar Sah, Son of Raja Ram Sah, Resident of
Village-Sambhuta, P.S.-Aurai, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-09-2019 This is an application for grant of anticipatory bail in
connection with Aurai P. S. Case No. 124 of 2018, disclosing
offences under Sections 341, 323, 312, 376, 504 and 506 of IPC.

Allegation against the petitioner, who happens to be
the *Devar* of the informant and after the death of the husband of
the informant, he was having physical relationship with the
informant on the assurance of marrying her, due to which, she
became pregnant and he got her pregnancy aborted and not
married with her.

Submission of the learned counsel for the petitioner is
that the falsity of the prosecution will appear from the fact that
at the time of marriage, he was only 12 years of age and at
present she is 22 years and as such, the aforesaid allegation
appears to be false and concocted. There is no supporting
documents with regard to aborting her pregnancy and moreover,



the informant is still residing in the house of the petitioner along with other family members and they are maintaining her also, however, present case has been filed as there is property dispute between the parties.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail of the petitioner.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Muzaffarpur, in connection with Aurai P. S. Case No. 124 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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