

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63710 of 2018

Arising Out of PS. Case No.-226 Year-2018 Thana- DHAKA District- East Champaran

Dr. Yogendra Prasad Yadav @ Dr. Yogendra Nath Yadav son of Sri Mahavir Yadav, Resident of Village- Chainpur Dhaka, P.S. Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Sri Chandrasen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in connection with Dhaka Police Station Case No.226 of 2018 registered for the offences punishable under Sections 376, 313/34 of the Indian Penal Code pending in the court of learned 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, Motihari, East Champaran.

According to F.I.R., the informant was in physical relation with the named accused and she was pregnant from that accused. Therefore, she was carried by the said accused to the Nursing Home of the petitioner, where termination of pregnancy was performed.



Section 4 of the Medical Termination of Pregnancy Act, 1971 mentions the place where termination of pregnancy is permissible under certain circumstances.

The Nursing Home of the petitioner is not one of them, nor the petitioner has any reasonable justification to indulge in termination of pregnancy.

Considering the nature of allegation against the petitioner, I am not inclined to enlarge the petitioner, above named, on anticipatory bail. Hence, prayer is refused.

(Birendra Kumar, J)

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