

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56894 of 2019

Arising Out of PS. Case No.-33 Year-2019 Thana- MAHILA P.S. District- Nalanda

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PANKAJ KUMAR Son of Shankar Ravidas Resident of Village - Dekpura,
P.S.- Rahui, Distt - Nalanda.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Tusi Kumari D/o Late Kanta Ravidas Resident of Village - Dekpura, P.S.-
Rahui, Distt - Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Sinha
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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

ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Mahila P.S. Case No.33 of 2019 registered under Sections 376, 313
and 506/34 of the Indian Penal Code.

The accusation is that the petitioner developed physical
relation with the informant/opposite party no.2 Tusi Kumari, aged
about 22 years, on the assurance to perform the marriage. Thereafter,
the informant/opposite party no.2 was being used by the petitioner
sexually, due to which the informant/opposite party no.2 conceived
pregnancy, whereupon she started putting pressure upon the
petitioner to perform the marriage. On 25.03.2019, the petitioner
along with his brother Amit Kumar, aunts Sona Devi, Sukunti Devi,
mother and villager-Lasmi Ravidas took the informant/opposite party



no.2 on the pretext to get her treated by the doctor at Noorsarai, where they got her pregnancy aborted against her will.

Learned counsel for the petitioner submits that the informant/opposite party no.2 is married lady and due to dispute of the petitioner with her brother Mukesh Ravidas, Mukesh Ravidas and the mother of the informant/opposite party no.2 got managed her to implicate the petitioner in this case with false allegation only to put undue pressure. Moreover, the informant/opposite party no.2 has filed an application before Mahila Police Station on 25.03.2019 and has also filed Complaint Case No.596C of 2019 in the court of the Chief Judicial Magistrate, Nalanda, Biharsharif, disclosing the real fact in this regard.

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 Chief Judicial Magistrate, Biharsharif, Nalanda, in connection with Mahila P.S. Case No.33 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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