

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1004 of 2020

Arising Out of PS. Case No.-112 Year-2019 Thana- MAHILA P.S. District- Patna

RAUSHAN KUMAR S/o - Ambendra Kumar Resident of Kumhrar Gumti,
Bachaspatti Nagar, P.S.- Bhadurpru, Distt- Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Pranav Kumar, Adv.
For the State	:	Mr.Rana Randhir Singh, APP
For the Informant	:	Mr.Mahendra Kumar Sinha, Adv.

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

ORAL ORDER

2 03-02-2020 Heard learned counsel for the petitioner, the learned
counsel for the informant and learned Additional Public
Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Mahila P.S. Case No. 112 of 2019, registered under Sections
376, 420, 313 and 34 of the Indian Penal Code.

The accusation is that since the parents of the
informant died in her childhood due to that reason, she
continued her education by earning through tuition. In that
course, she came in touch of Raushan Kumar, who, on
assurance of marriage, developed physical relation. Later on,
she conceived pregnancy. She got aborted her pregnancy, after
taking the medicine, but, her health became started to



deteriorate and she was checked-up by petitioner at the clinic of Dr. Vinita Sinha and at the prescription the name of the petitioner was detailed as her husband. At that time, the informant also asked to petitioner that both should perform marriage, then, there is no need of abortion, but, the petitioner did not follow her suggestion. Thereafter, the informant approached to the parents of the petitioner and disclosed the matter making query about Raushan Kumar (petitioner), then, she was abused by his parent.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the first information report, itself, that both were consented party and developed physical relation, but, on some misunderstanding the present case has been filed.

Learned counsel appearing on behalf of the informant submits that while the informant conceived pregnancy due to wed-lock of the petitioner and the informant, but, on the advice of the petitioner she got aborted her pregnancy, showing the name of the petitioner as husband.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in



connection with Mahila P.S. Case No. 112 of 2019 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Madhvi Singh, Judicial Magistrate, 1st Class, Patna, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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