

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79685 of 2019

Arising Out of PS. Case No.-149 Year-2019 Thana- SINGHIYA District- Samastipur

DR. DEEPAK KUMAR SHARMA @ Dr. Deepak Sharma, age 30 years,
Male, Son of Satyanrayan Sharma, Resident of Village- Bhairso, Police
Station- Singhia, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Mukesh Kumar No.1, Advocate.
For the Opposite Party : Mr.Yogendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-03-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 313, 315, 376/34, 120(B) of the IPC
and 4 of the POCSO Act.

The prosecution story, in brief, is that on 22.09.2019
at 9.00 P.M., nine named accused persons came with common
intention and started to abuse the informant and threatened her
to leave the village otherwise kill her. Co-accused Randhir
Paswan has sexually harassed her since one year by giving
assurance of marriage, resulting she conceived pregnancy of six
months, then co-accused Randhir Paswan, Chedi Paswan and
Ram Chandra Paswan forcefully brought her at the clinic of co-



accused Dr. Deepak Sharma (petitioner) and miscarriage her pregnancy on 06.09.2019. She has further alleged that due to miscarriage, bleeding was continuously going on therefore she became unconscious when she became conscious than on 22.09.2019 she went to the house of co-accused Randhir Paswan and told him about the mishappening than all accused persons assaulted her and threatened her.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 03.10.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The main allegation is against co-accused Randhir Paswan who has established physical relationship with the informant on the pretext of marriage. Sexual relationship was between the co-accused Randhir Paswan and the informant. Subsequently, it is alleged that at the clinic of the petitioner, being a doctor, abortion of the victim was carried out. There is no such documentary evidence to suggest that the petitioner had conducted abortion of the informant. The abortion of the victim was done on 06.09.2019 as to when F.I.R. was instituted on



22.09.2019. Delay has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioner is named in the 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 the learned A.D.J. Ist-cum-Special Judge, POCSO Act, Samastipur in connection with Singhia @ Singhiya P.S. Case No. 149 of 2019.

(Sudhir Singh, J)

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