

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30354 of 2021

Arising Out of PS. Case No.-234 Year-2020 Thana- KONCH District- Gaya

Md. Manzoor Alam @ Manzoor Alam Son Of Md. Anwar Ansari Resident Of
Village - Karai, P.S. - Konch, District - Gaya (Bihar)

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Yogesh Chandra Verma, Sr. Advocate & Mr. Ramchandra Singh, Advocate
For the State	:	Mr. Addl Public Prosecutor
For the informant	:	Mr. Rashid Izhar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-10-2021 Heard learned counsel for the petitioner, the State and
the informant.

The petitioner seeks regular bail in Konch Police
Station Case No. 234 of 2020 registered for the offences
punishable under sections 376, 420, 323, 504/34 of the Indian
Penal Code.

As per the prosecution case, petitioner sexually
exploited the minor girl/ the informant for past eight months on
false assurance of marriage as a result of which she became
pregnant.

It is submitted by learned counsel for the petitioner
that there was love affair between the parties and both of them
are major. Physical relationship was established with the



consent of the informant. It was consensual sex and as such no offence under section 376 of the IPC is made out against the petitioner. It is also submitted that the petitioner had also filed a petition before the Court below for conducting DNA test of the unborn child. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 14.8.2020.

Learned counsel for the State and the informant opposed the prayer for bail and submit that the victim in her section 164 Cr.P.C. statement has supported the prosecution case. Even medical report also corroborates the accusation made against this petitioner.

In view of the nature and gravity of allegation made in the FIR against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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