

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37497 of 2021

Arising Out of PS. Case No.-276 Year-2019 Thana- EKMA District- Saran

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DINESH KUMAR Son of Uday Mahto Resident of Village- Bhundhari, P.S.-
Ekma, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nalin Vilochan Tiwary
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP
M/s Harsh Anuj and Ajeet Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 376, 323, 341, 504/34 of
the Indian Penal Code.

As per the prosecution case, this petitioner established
physical relation with the victim on the pretext of marriage
resulting into pregnancy and also forcibly got her pregnancy
terminated.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. The first incident is alleged to have taken place in the year
2018 but the case was lodged after more than a year which goes
to show that the story has been concocted in order to falsely



implicate the entire family members of the petitioner. During the course of investigation on the request made by the I.O. the victim did not get her medically examined. Petitioner claims clean antecedent and is in custody since 06.04.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that this petitioner sexually abused the victim on the pretext of marriage and also forcibly got her pregnancy terminated.

Considering the facts of the case, nature of accusation and gravity of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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