

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29989 of 2020

Arising Out of PS. Case No.-175 Year-2019 Thana- MAHILA P.S. District- Nalanda

PRABHASH SINGH @ PARBASH SINGH, Son of Jai Prakash Chandra @
Dinesh Singh, Resident of Village- Jagatpur, Police Station- Telmar
(Harnaut), District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kishor

For the Opposite Party/s : Mr.Amit Kr. Rakesh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within three
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 376, 313,
506/34 of the Indian Penal Code and Section 6 of the POCSO
Act.



Prosecution case in brief is that as per FIR, the informant aged about 16 years is that the petitioner being acquainted with the informant established physical relation with her on the allurements of marriage and on protest he used to give threatening of getting the obscene and video viral. In the meantime, the informant became pregnant. It is further alleged that on being asked by her mother, the informant narrated the occurrence to her mother who made complaint to the parents and other family members of accused who were also agreed to marry the informant with the petitioner and advised to get terminated her pregnancy. It is further alleged that the petitioner gave threatening to the informant and gave medicine due to which her pregnancy was terminated. Thereafter, the petitioner and his other family refused to marry the informant with the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the 'Dewar' of the informant's sister and she fell in love with the petitioner and as a pressure tactics the present case has been lodged. The statement recorded on 04.11.2019 under Section 164 Cr.P.C of the victim where it has been stated that she has married with the petitioner and living



with him happily. The petitioner has got no criminal antecedent.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Nalanda at Bihar Sharif in connection with Mahila P. S. Case No. 175 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

amitkumar/-

U		T	
---	--	---	--

