

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29210 of 2021**

Arising Out of PS. Case No.-505 Year-2018 Thana- NARPATGANJ District- Araria

CHHATRADEO SINGH @ CHATRADEV SINGH @ CHHATARDEO
SINGH Son of Sri Jagdish Singh Resident of Village - Kundilpur, Ward No.
02, P.S.- Narpatganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv.

For the Opposite Party/s : Ms.Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 03-01-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects as pointed out by the office within a period of four weeks. In the eventuality of non-removal of defects within the stipulated time, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in connection with Special (POCSO) Case No.43/18, arising out of Narpatganj P.S. Case No.505/18, registered for the offence punishable under Sections 376, 313, 506, 34 of the Indian Penal Code and section 4 of POCSO Act.

The allegation is that the petitioner and his brother took the informant on motorcycle to the doctor and got aborted her pregnancy which was allegedly caused by the petitioner's



brother.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case at the instance of his enemies due to local village politics. No such occurrence as alleged ever took place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. In the medical examination, the doctor has found the age of the victim to be 17 to 20 years and according to the FIR, even if the allegation is true, she is a consensual party and the co-accused is the person, upon whom the allegation of causing pregnancy is made. There is no specific overt act against the petitioner and after investigation the police has submitted the final form but the court below has deferred the final form and has taken cognizance against the petitioner. Petitioner has no role in the alleged occurrence and has one criminal antecedent. The co-accused namely, Suman Singh has been enlarged on anticipatory bail by a co-ordinate Bench of this court vide order dated 01.05.2019, passed in Cr. Misc. No.14766 of 2019.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event



of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Special (POCSO) Case No.43/18, arising out of Narpatganj P.S. Case No.505/18, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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