

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28971 of 2022**

Arising Out of PS. Case No.-16 Year-2022 Thana- MAHILA P.S. District- Nalanda

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Vishal Kumar @ Bittu S/o Shankar Mistri R/o village- Devisaray, P.S.-
Deepnagar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
		Ms. Vaishnavi Singh
For the Opposite Party/s	:	Mr. Parmanand Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 26-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 376 and other allied sections of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

As per the FIR, this petitioner established physical relation with the informant on the pretext of marriage and when she conceived, petitioner forcibly aborted her pregnancy. It is further alleged that thereafter, this petitioner demanded Rs. 5,00,000/- and later on, refused to marry her.

It is submitted that petitioner has been falsely implicated in this case. As a matter of fact, a proposal of marriage was given by the family member of present informant



to the parents of petitioner and on refusal of the said proposal by the parents of petitioner in order to harass and put pressure upon the petitioner and his family members, this false and concocted case has been lodged against this petitioner. In the entire FIR, date of occurrence is not mentioned. Prior to the present case, the victim has filed complaint case with almost similar allegation being Complaint Case No. 944 C of 2021. The victim girl was medically examined and the doctor has assessed her age to be 20 years. Petitioner claims clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Mahila P.S. Case No. 16 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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