

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14232 of 2023

Arising Out of PS. Case No.-289 Year-2022 Thana- BAJPATTI District- Sitamarhi

TANVIR KHAN @ MD. TANVIR NADAF Son of Mohd. Jabir Resident of
Village- Barvi Phulwaria, P.S.- Bajpatti, District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Priyanka Singh, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-06-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for
the offence punishable under sections 376 of the Indian Penal
Code and section 4 of the POCSO Act .

As per the prosecution case, on the false assurance of
marriage this petitioner continued establishing physical relation
with the petitioner as a result of which she gave birth to a child.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. It is further submitted that the physical relation
relation was consensual. There is delay of nine months in
lodging of the FIR and there is no explanation of delay.
Petitioner claims clean antecedent.

Learned counsel for the State opposes the prayer for
bail. He submits that the girl is minor and she has supported the



prosecution case in her section 164 Cr.P.C. statement.

Considering the nature and gravity of allegation and section 164 Cr.P.C. statement of the victim, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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