

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16361 of 2023

Arising Out of PS. Case No.-878 Year-2020 Thana- MUNGER COMPLAINT CASE
District- Munger

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Banti Kumar @ Bitesh Kumar Son Of Abhay Kant Singh Resident Of Village
- Kharama, P.S.- Goradih, District - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sangita Kumari Daughter of Late Rajendra Prasad Singh Resident of Village
- Rataitha, P.S.- Haveli Kharagpur, District - Munger

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda
For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 313, 315, 323, 493, 504, 34 of the IPC and Section 3/4 of the Dowry Prohibition Act and u/s 312, 376 and 504 of the Indian Penal Code.

As per prosecution case, the marriage of the complainant was fixed with the petitioner and after fixation of marriage, petitioner and his mother demanded Rs. 80,000/- for fish business. It is further alleged that the



petitioner used to come to the house of the complainant and made physical relation with her, as a result of which she got pregnant. The petitioner gave medicine to the complainant and advised her that the medicine is for healthy fetus and when the complainant used the medicine, it resulted in her miscarriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The complainant is not wedded wife of the petitioner and he has falsely been implicated in this case. Allegedly petitioner has administered medicine resulting into miscarriage of the complainant but there is no documentary evidence brought on record to support the prosecution case. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 28.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge



the petitioner on bail. The above named petitioner is directed to be released on bail in Complaint case No878 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Civil Court, Munger.

(Sunil Kumar Panwar, J)

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