

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26447 of 2023

Arising Out of PS. Case No.-12 Year-2021 Thana- MAHILA PS District- Khagaria

Sumit Kumar @ Bittu Kumar Son Of Shambhu Singh @ Shambhu Nath
Suman R/O Village- Khair, P.O.- Kawadpur, P.S.- Suryagarh, District-
Lakhisarai

... .. Petitioner

Versus

1. The State Of Bihar Bihar
2. Seema Kumari Wife Of Not Given R/O Village- Chaitha, P.O.- Babu Bagicha, P.S.- Mahesh Khunt, District- Khagaria

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Shashank Shekhar, Advocate
For the Opposite Party	:	Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Mahila
(Khagaria) P.S. Case No. 12 of 2021 dated 13.06.2021,
instituted for the offences punishable under Sections 493, 313
and 420 of the Indian Penal Code.

3. The case of prosecution, in short, is that the
informant fell in love with the petitioner and made physical
relation with her on the enticement of marriage. It is further
alleged that the informant got pregnant but aborted the
pregnancy on the advice of the petitioner and promised to marry
her after getting a job, however, refused to do so on getting a job



and stopped talking her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. It is submitted that neither any evidence nor any medical report come on record to show that the informant had any kind of miscarriage/abortion. Learned counsel for the petitioner submitted that there is case of consensual relation. Lastly, it has been submitted that the petitioner is in custody since 22.02.2023 has no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Khagaria in Mahila (Khagaria) P.S. Case No. 12 of 2021.

(Khatim Reza, J)

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