

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72993 of 2023

Arising Out of PS. Case No.-376 Year-2018 Thana- SHASTRINAGAR District- Patna

PRAVENDRA KUMAR SON OF YOGENDRA PRASAD SINHA
RESIDENT OF VILLAGE- CHOWK SHIKARPUR, PS- CHOWK, DISTT-
PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Shastri Nagar P.S. Case No. 376 of 2018 registered under Sections 420, 376, 341, 323, 504, 506, 494, 495 and 496/34 of the Indian Penal Code lodged on 14.06.2018 by the informant, Manisha Kumari.

3. As per the prosecution story, the petitioner is a married man on the false belief of marriage made physical relationship and gave birth to a female child. Later, she came to know that he is married and thereafter, allegation is that his family members came and assaulted her which followed the FIR.

4. Learned Senior Counsel for the petitioner submits



that it is an admitted fact that they were in relationship and in that background, Section 376 of the Indian Penal Code is not made out.

5. Learned APP on the other hand submits that the petitioner despite being a married person clearly enticed her on a false pretext that he is unmarried which also led to birth of a female child. Further, the matter is of 2018 and he chose to walk into judicial custody five years later and as such, there is opposition for grant of bail.

6. Considering the allegation that has come against the petitioner as also the fact that he had chosen not to resort to judicial recourse while evading arrest for last five years, for the present, this Court is not inclined to extend him privilege of bail which is accordingly rejected.

7. In view of the fact that the petitioner is in custody since 12.06.2023 (as stated in paragraph-17 of the petition), it would be appropriate that the Trial Court expedite the trial and conclude the same by June, 2024.

(Rajiv Roy, J)

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