

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74752 of 2022

Arising Out of PS. Case No.-24 Year-2022 Thana- MAHILA P.S. District- Vaishali

MD. SALIM @ VICKY S/o Md. Mustkim R/o Village- Adalwari, P.S.-
Hajipur Town, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Anuj Kumar
For the Opposite Party/s :	Mr.Renu Kumari
For the informant	Mrs. ...

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The instant application for regular bail has been filed
by the petitioner registered for the offence punishable under
Sections 341, 323, 376, 312, 313, 504, 506/34 of the Indian
Penal Code.

As per allegation in the FIR, there was friendship
between the petitioner and informant. On the pretext of marriage
petitioner had established physical relationship with the
informant resulting into her pregnancy. Petitioner later on
denied the marriage and her pregnancy was terminated by
administering medicine by the petitioner forcefully.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. There was love affair between the petitioner and the informant. Informant is a major lady of 22 years, as recorded in her deposition. Statement of the informant was recorded in u/s 164 Cr.P.C. from which it appears that out of her own sweet will, informant had gone to the house of the petitioner and on the pretext of marriage, both had established consensual physical relationship. Petitioner has no criminal antecedent and he is languishing in judicial custody since 3.9.2022.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer of Bail and submitted that there is direct allegation of commission of rape against the petitioner.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Vaishali at Hajipur in connection with Hajipur Mahila P.S. Case No. 24 of 2022.

(Sunil Kumar Panwar, J)

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