

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66742 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- MAHILA PS District- Aurangabad

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Karan Kumar S/O Late Vijay Paswan R/O Village- Behind The Town Ps.
Mahua Shahid, Ward No. 29, Ps. Aurangabad Town, Dist. Aurangabad
(BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 376, 313, 506/34 of the Indian Penal Code and Section 4 of the POCSO Act.

3. Informant alleged that co-accused, Mahendra Paswan, made physical relations many time, since the informant was minor, on the false pretext of marriage for seven years and also forcefully gave medicine for abortion, but later on he denied from getting marriage with informant. When she called him, the petitioner abused her and threatened to kill her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that



there is no specific overt act against the petitioner, the only allegation against the petitioner is that he has abused and threatened to kill the informant. He further submits that there is specific allegation against co-accused, Mahendra Paswan. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Aurangabad Mahila P.S. Case No. 32 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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