

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81988 of 2023**

Arising Out of PS. Case No.-14 Year-2023 Thana- MAHILA THANA District- Begusarai

Md. Salkin @ Md. Salkhin S/O Md. Ajam R/O Villag- Ward No. 01, Maida,
Babhangawan, Ramdiri, P.S- Mathihani, Distt.- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Muskan Khatoon D/O Md. Anwar R/O Village- Ward No. 01, Aadhya Chowk, Naya Tola, P.S- Teghra, Distt.- Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Pritish Kumar Lal, Advocate
For the State	:	Mr. Arvind Kumar Pandey (App.84)
For the O.P.-2	:	Mr. Sandip Kumar Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 17-05-2024 Heard learned counsel for the petitioner, State and informant/opposite party no. 2.

2. The petitioner seeks bail in a case registered for offence under Sections 376, 504, 506 and 34 of the Indian Penal Code and Section 4 / 6 of the POCSO Act.

3. It is alleged that on the false promise of marriage, this petitioner established physical relation with the victim (informant), as a result of which, she became pregnant, and thereafter, petitioner refused to marry her. It is further alleged that when after knowing this fact, the mother of victim went to the house of petitioner, then family members of petitioner abused her.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Petitioner did



not commit rape upon the victim. As a matter of fact, the victim became pregnant due to her illicit relation with her brother-in-law and taking advantage of this situation, this false and concocted case has been lodged against this petitioner. Learned counsel further submits that the D.N.A. report, which was called for by this Hon'ble Court, also does not support the prosecution case. Petitioner has got clean antecedent and is in custody since 01.09.2023. Chargesheet has been submitted.

5. Learned A.P.P. for the State and learned counsel for the opposite party no. 2 vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances as well as period of custody and D.N.A. report, the prayer for bail is allowed.

7. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Court of POCSO Act-cum-Additional Sessions Judge – VI, Begusarai in connection with Begusarai Mahila P.S. Case No. 14 of 2023.

(Prabhat Kumar Singh, J)

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