

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70030 of 2024

Arising Out of PS. Case No.-209 Year-2023 Thana- SANDESH District- Bhojpur

Pintu Yadav Son of Bijendra Yadav @ Bijendra Singh Resident of village -
Salempur, P.S.- Chandi, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gauri Kumari D/o Devi Dayal Pal R/o Village- Pinjroi, P.S.-Sandesh, Distt.-
Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 22-03-2025 Despite of notices issued by this Court, opposite party
no. 2 choose not to appear before this Court, so this Court has
no option, save and except, to decide this Case.

2. Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Sandesh P.S. Case No. 209 of 2023 for the
offence under Sections 376 of the I.P.C. and Section 4 of
POCSO Act.

4. As per the prosecution story, there was love affair
between informant/victim and petitioner about two years. This
fact was also known to petitioner's as well as informant's family



members. It is alleged that petitioner used to visit the victims's house and tried to have physical relationship with her. On protest, petitioner assured her that he would marry her and on that account he forcibly made physical relation with the victim girl due to which she became pregnant. When she informed the petitioner about her pregnancy, he stopped talking to her and also refused to marry her. It is alleged in FIR that the petitioner – Pintu Yadv also uploaded her personal photo on facebook and instagram to dafame her.

5. Learned counsel for the petitioner submits that petitioner is innocent and committed no offence and has falsely been implicated in this case due to village politics. No such occurrence has ever been taken place as alleged in F.I.R. He further submits that victim girl has stated about her two years love affairs with petitioner. There is love affair between them and as far as matter of physical relation is concerned, both are consenting parties.

6. Learned APP opposes the prayer of anticipatory bail.

7. From perusal of case diary at para 2, 6 and other paragraphs, victim girl as well as other witnesses have supported the allegation levelled against the petitioner. The



statement of victim recorded under Section 164 Cr.P.C. in which her age has been mentioned as 17 years and she has also supported the allegation mentioned in FIR and alleged that on the promise of marriage the petitioner established physical relationship.

8. Keeping in view the aforesaid facts and considering the seriousness of the alleged offence, this Court is not inclined to enlarge the petitioner on bail.

9. Accordingly, bail application of petitioner stands rejected.

(S. B. Pd. Singh, J)

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