

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15201 of 2016

Arising Out of PS.Case No. -745 Year- 2015 Thana -PHULWARISHARIF District- PATNA

Sonu Kumar, Son of Rameshwar Singh.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Jitendra Kumar Roy-I(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 12-04-2016

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

Petitioner seeks bail in a case registered for the offences punishable under Sections 363, 366-A, 376 of the Indian Penal Code and Section 4 of POCSO Act.

The informant claims that petitioner having allured her established physical relation and subsequently, the petitioner's sister ousted her from her house and refused to get her marriage solemnized with the petitioner.

Learned counsel appearing for the petitioner submits that no doubt, the informant was found between 15-16 years of age by the medical board but petitioner is also a young chap and as a matter of fact, petitioner and informant fell in love and fled away

from their respective houses and started residing at the house of sister of the petitioner but when petitioner's sister learnt about the relation of petitioner and informant, she ousted not only the informant but the petitioner also and after that the informant lodged this case in anger. However, after institution of this case when informant realized her fault, she filed a joint compromise petition stating therein that she is ready to solemnize her marriage with petitioner. It is further submitted that petitioner is also ready to solemnize her marriage with the informant.

Learned counsel appearing for the informant submits that informant also wants to marry with petitioner and, therefore, if petitioner is released on provisional bail for the purpose of solemnization of marriage, he does not have any objection.

In view of the aforesaid submissions as well as facts and circumstances of the case, **let the petitioner be released on bail provisionally for the period of three months** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge, Patna in connection with Special (POCSO) Case No. 140 of 2015 arising out of Phulwarisharif P.S. Case No. 745 of 2015.

However, it is made clear that within the above stated period of three months, the petitioner and informant may

solemnize their marriage in accordance with their convenience and after solemnization of marriage, if they file a joint petition for confirmation of bail of the petitioner, the learned court below/concerned court shall pass appropriate order on the petition of the parties.

In the aforesaid manner, this petition stands disposed of.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

U		T	
---	--	---	--