

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22675 of 2018

Arising Out of PS. Case No.-71 Year-2017 Thana- GAUNAHA District- West Champaran

Dhanjay Ram @ Dhananjay Ram S/o Ramsharay Ram, R/o Bhitiharwa, P.S.-
Gaunaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 28-06-2018

Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Gaunaha P.S. Case No. 71 of 2017, registered for the offence
punishable under Section 376 of the Indian Penal Code and
Section 4 of the POCSO Act.

The allegation is regarding the petitioner
establishing physical relationship with the victim-informant
by threatening her in various manners.

The learned counsel for the petitioner submits that if
at all the allegation levelled in the F.I.R is treated to be true
then it would transpire that the petitioner was having physical
relationship with the informant since more than five months,
however, the informant had never opposed such move on the



part of the petitioner or made complaint to anyone, but suddenly, she has lodged the present case. It is further submitted that Doctor has found the age of the informant to be in between 17-19 years, hence, it cannot be said that the informant is a minor, as such, the present case is a case of consensual sex between two adults, thus, the petitioner is liable to be granted the benefit of regular bail. It is further submitted that the petitioner is languishing in custody since 15.07.2017 and he is ready to abide by whatsoever conditions which is thought proper by this Court to be imposed for the purposes of grant of bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-1st-Cum-Special Judge, Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 71 of 2017.

It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned police



station at 10:00 am. on each Monday of the week and in the event of two consecutive defaults, the present privilege of the regular bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

ajay gupta/-

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

