

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58739 of 2018**

Arising Out of PS. Case No.-338 Year-2015 Thana- SHEKHPURA District- Sheikhpura

Vipin Kumar, Son of Naresh Paswan, Resident of Village- Gosaimarhi, Police Station- Sheikhpura, District- Sheikhpura.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Bipin Kumar, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      20-09-2018                      Heard Sri Bipin Kumar, learned counsel for the petitioner and Sri Upendra Kumar, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Sheikhpura P.S. Case No. 338 of 2015 (POCSO Case No. 41 of 2015) registered for offence under Sections 363, 366/34 of the Indian Penal Code and Section 8 of the POCSO Act, has prayed for grant of bail, in the event of his arrest or surrender.

At the very outset, learned counsel for the petitioner has drawn my attention to Annexure-2 to the petition i.e. photo copy of the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (hereinafter referred to as 'Cr.P.C.') and submits that as per the statement of the victim,



she had voluntarily solemnized marriage with the petitioner and since last three years, she is residing with the petitioner as husband and wife. This fact has also come before the court below at the time of hearing of the anticipatory bail petition.

Considering the fact as well as statement of the victim recorded under Section 164 of the Cr.P.C, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Vipin Kumar be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> Additional District and Sessions Judge, Sheikhpura in connection with Sheikhpura P.S. Case No. 338 of 2015 (POCSO Case No. 41 of 2015), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Rakesh Kumar, J.)**

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