

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35878 of 2019**

Arising Out of PS. Case No.-177 Year-2019 Thana- ARA NAGAR District- Bhojpur

MANISH KUMAR Son of Kumar Mukesh Resident of Village - Begumpur,
P.S.- Ara Town, Distt - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhu Narayan Sharma
For the Opposite Party/s : Mr.Satya Nand Shukla

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER**

4 30-09-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 30.03.2019 in connection with POCSO Case No. 18 of 2019 (arising out of Ara Town P.S. Case No. 177 of 2019) for the offence registered under Sections 376 of the Indian Penal Code and Section 4 of the POCSO Act.

Learned Senior counsel appearing on behalf of the petitioner submits that it is only in order to force the petitioner into marriage that the informant has made the allegation against the petitioner. It is further submitted that even in the first information report, she has stated that on the date of alleged occurrence and when she was recovered from the house of the petitioner, the petitioner had not engaged in any illegal acts and



as such, the petitioner may be extended the privilege of bail.

It appears from the facts and circumstances of the case that the victim girl in her statement under Section 164 Cr.P.C. has clearly stated and supported her case as made out in the first information report and her allegation is that the petitioner had been cohabiting with herself under lure of marriage and had forcibly sexually intercourse with her on several occasions.

In view of the aforesaid facts and circumstances of the case, I am not inclined to grant regular bail to the petitioner. It is, accordingly, rejected.

(Anjana Mishra, J)

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