

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61880 of 2019

Arising Out of PS. Case No.-284 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RANJAY SINGH S/o Bogo Singh R/O Village- Shahpur, presently R/o
Jagdishpur Tarbanna, P.S.- Muffasil (Lakho O.P.), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha
For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-11-2019 Heard learned counsel for the petitioner and learned APP for
the State.

This is the second application of the petitioner for grant of bail.
The earlier bail application of the petitioner was rejected vide Annexure-1
to the present application with liberty to the petitioner renew his prayer for
bail after six months.

The petitioner seeks bail in a case instituted for the offences
under Section 376 of the Indian Penal Code and 8 and 12 of POCSO Act.

The prosecution case in short is that the accused person
established physical relationship with the daughter of the informant on the
assurance of marriage.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 24.8.2018 and has got no criminal antecedent.
There is no allegation of tampering of witnesses alleged against the
petitioner. Charge-sheet has been submitted in the present case. The
petitioner has falsely been implicated in the present case. The petitioner



and the victim was in consensual sex which led to the pregnancy of the victim. When the father of the victim came to know about the pregnancy, the present case was instituted. It is further submitted that consensual sex does not constitute offence under Section 376 IPC. In this regard, Counsel for the petitioner has placed reliance of a case of the Hon'ble Supreme Court since reported in **2019 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharashtra & Ors.)**.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R..

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-1-cum- Special Judge, POCSO Act, Begusarai in connection with POCSO Case No. 73/2018 arising out of Muffasil (Lakho O.P.) P.S. Case No. 284 of 2018.

(Sudhir Singh, J)

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