

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66873 of 2019

Arising Out of PS. Case No.-171 Year-2019 Thana- AIRPORT District- Patna

Sumit Gaurav Son of Shankar Gaurav Resident of Bhatta More, P.S.-
Danapur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Soni Shrivastava

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-11-2019 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Sections
363, 365, 364, 376 of the Indian Penal Code and later on, Section-4
of the POCSO Act was also added.

Prosecution case in short is that leaving her mobile, the
daughter of the informant had gone from her house to bring some
articles but she did not return back. It is further alleged that on
checking of her mobile, it was detected that from mobile
No.08789955173 several calls were made on the mobile of the
victim. The said mobile No.08789955173 is alleged to be of the
petitioner.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
is in custody since 04-07-2019. Charge sheet has already been



submitted. The petitioner has been falsely implicated in the present case. The victim has been examined under Section 164 of the Cr.P.C. where she has accepted her intimate relationship with the petitioner. Number of photographs of the petitioner along with the victim have been enclosed as Annexure-2 to the present application which goes to show that the petitioner and the victim were in an intimate relationship. It was a consensual relationship of the victim with the petitioner though the same was not accepted by the parents and for the said reason, the present case has been instituted.

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

Considering the aforesaid facts and circumstances, let 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 Sessions Judge-Ist-cum-Special Judge, POCSO Act, Patna in connection with Special Case No. 141 of 2019 arising out of Hawai Adda P.S. Case No. 171 of 2019.

(Sudhir Singh, J)

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