

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74749 of 2019**

Arising Out of PS. Case No.-46 Year-2019 Thana- SHAMBHUGANJ District- Banka

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Ankit Kumar Son of Shankar Mandal Resident of Village - Kaitha, P.S.-
Shambhuganj, District – Banka ... Petitioner

Versus

The State Of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr.Dhananjay Kumar Pandey, Advocate

For the Opposite Party : Mr.Mohammad Sufyan, Addl Public Prosecutor

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 04-12-2019 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under section 376 of the Indian Penal Code read with section 4 of the POCSO Act.

Statement of the victim Lusi Kumari, recorded under section 164 Cr.P.C., referred to in paragraph 7 of the bail application, is taken on record.

Learned counsel for the petitioner, pointing to the aforesaid statement of the victim, submits that the victim was in love with the petitioner and now has married him and is leading a very good conjugal life and is willing to live with him at her matrimonial house. Victim has further stated that the petitioner has never made any excesses nor any sexual assault on her. Her age has been assessed by the Court below as 19 years. Petitioner is in custody since 26.9.2019.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge I cum



Special Judge, Bhagalpur in Shambhuganj Police Station Case No. 46 of 2019, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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