

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12805 of 2020

Arising Out of PS. Case No.-267 Year-2018 Thana- BARH District- Patna

GAUTAM KUMAR Son of Bholi Gope Resident of Village - Manjhala
Bigha, P.S.- Pandarak, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 05-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 376,498(A),323,504,506 of
I.P.C., 3/4 D.P.Act and 4 POCSO Act.

On the allurement of the petitioner, the victim became
ready to marry with the petitioner. There was physical relation
between two and thereafter petitioner married with the victim
and then the relationship got strained. There is no material to
substantiate that petitioner is going to tamper with the evidence
or hamper the trial.

Learned counsel for the informant opposed the prayer
for bail.

Since the victim has herself stated in the complaint



petitioner that she is aged about 20 years, evidently she was a major and entire act alleged was with her consent and she was aware of the consequences of her act, hence, let the petitioner, above named, be released on bail after framing of the charges so that the trial may not hamper on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Special Case No.151 of 2018 (arising out of Barh P.S.Case No.267 of 2018), subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case as well as the petitioner shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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