

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19874 of 2021

Arising Out of PS. Case No.-515 Year-2020 Thana- SAHARSA SADAR District- Saharsa

SANJIT KUMAR @ SONU KUMAR S/o Ramdeo Sharma R/o village- Toka,
P.S.- Gamharia, District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gopal Bohra, Adv. Mr.Rakesh Kumar, Adv. Mr.Anil Jayaswal, Adv.
For the Opposite Party/s	:	Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-08-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Saharsa Sadar P.S. Case No.515 of 2020 (POCSO Spl. Case No.27 of 2020) registered for the offence punishable under Sections 363, 366(A), 34 of the Indian Penal Code and section 8 of POCSO Act.

The prosecution case in short is that the petitioner enticed



away the informant's sister, aged about 16 years and on enquiry made from the informant's side, it was learnt that this petitioner is a married man and having two children and further that this petitioner is keeping his wife in his home and that the family members of this petitioner are involved in this case.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. He has been falsely implicated in this case. The girl in her statement recorded under section 164 of the Cr.P.C. has clearly said that she went away with the petitioner on her own and they went to Delhi and then Haryana and she also married him and about 10 days ago, she came to her sasural and that she was not kidnapped. The medical report, on the basis of X-Ray, show the age of the victim girl as above 18 years and this report further shows that there were no mark of any injury over her private part. The petitioner has no criminal antecedent and has been languishing in custody since 18.09.2020.

Learned APP for the State opposed the prayer for bail.

Considering the aforesaid facts and statement of the victim under section 164 Cr.P.C., the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.



25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, cum-Special Judge, POCSO, Saharsa, in connection with Saharsa Sadar P.S. Case No.515 of 2020 (POCSO Spl. Case No.27 of 2020).

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

