

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21327 of 2021

Arising Out of PS. Case No.-150 Year-2020 Thana- DARPA District- East Champaran

Sanjay Kumar Son of Jawahar Lal Sah Resident of Village - Pipra Ward No. 11, P.S.- Darpa, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No. II, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2021 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Darpa P.S. Case No. 150 of 2020 instituted for the offences under Sections 366A and 34 of the Indian Penal Code read with Sections 7 and 8 of the POCSO Act.

Learned counsel for the petitioner, at the outset, submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the girl was having relationship with Sanjay Kumar and when the parents came to know about the same, the present F.I.R. came to be instituted.

Learned counsel further at paragraph '10' has specifically stated that since parties, i.e. the petitioner and the informant, realized that the case has been instituted based on misunderstanding, as such on intervention of the well-wisher, they have compromised.



Learned counsel for the petitioner submits that since the matter has been compromised for which compromise petition has been filed in the learned court below which is Annexure 2 series to the present bail application, as such the petitioner be enlarged on bail as he is in custody since 07.12.2020 and charge-sheet has been submitted in the case.

Learned A.P.P. for the State fairly submits that since the matter has been compromised but as the informant is not before the Court, the learned court below be directed to verify the issue and in the event, the learned court below is satisfied that the informant has compromised the case without any coercion then in that event the petitioner can be enlarged on bail.

Considering the aforesaid submission of the learned A.P.P. for the State, the learned court below is directed to release the petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount only if the learned court below is satisfied that the parties have entered into a compromise and the case has been compromised without any force or coercion.

(Satyavrat Verma, J)

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