

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34026 of 2020

Arising Out of PS. Case No.-238 Year-2020 Thana- MANER District- Patna

Ravi Kumar S/o Sri Sunil Paswan R/o village- Doghra, P.S.- Bihta, District- Patna

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Bijay Kumar, Adv.
For the State	:	Mr. Dr. Mritunjaya Kumar Gautam, APP
For the Informant	:	Mr. Manoranjan Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-01-2021 Heard learned counsel for the petitioner and

learned counsel for the State assisted by learned counsel for the

informant.

The petitioner seeks bail in connection with Special
Case No. 174 of 2020 arising out of Maner P.S. Case No. 238 of
2020 registered under Sections 417 and 376 of the Indian Penal
Code and Sections 4 and 6 of the Protection of Children from
Sexual Offences Act.

It is submitted by learned counsel for the petitioner
that from perusal of the FIR it would transpire that the victim
was a major girl and was having physical relationship with the
petitioner out of her own sweet-will. It is further contended that
there is no allegation of cheating and the case has been
registered only because the petitioner refused to marry the girl.



On the other hand, learned counsel for the State submitted that during investigation involvement of the petitioner has been found in the case and the age of the girl would be less than 18 years and, thus, the case would fall under the Protection of Children from Sexual Offences Act.

In reply, learned counsel for the petitioner submitted that apart from the FIR the informant has also stated her age to be 18 years in her statement made under Section 164 of the Code of Criminal Procedure.

Considering the nature of allegation made in the FIR, the submissions advanced on behalf of the parties and the fact that the petitioner is in custody since 12.05.2020, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1st-cum-Special Judge, POCSO, Patna in connection with Special Case No. 174 of 3030 arising out of Maner P.S. Case No. 238 of 2020.

(Ashwani Kumar Singh, J)

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