

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2094 of 2022

Arising Out of PS. Case No.-77 Year-2021 Thana- MAHILA P.S. District- Samastipur

Manish Kumar Son of Shivnarayan Singh @ Shivnarayan Mahato Resident of
Village - Kodariya, P.S.- Bibhutipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Pathak
For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 12-05-2022 Heard both parties.

The petitioner seeks bail in Mahila P.S. Case No. 77 of 2021, registered for the offence punishable under Sections 376(DA), 363, 366(A)/34 of the Indian Penal Code, sections 4, 6 of the POCSO Act and section 67(A) of the Information Technology Act.

As per the prosecution case, on the alleged date and time of occurrence, informant aged about 15 years, called her boyfriend one Manish Kumar and when she was returning back with Manish Kumar, on the way, other co-accused persons forced the informant and Manish Kumar to make physical relation and co-accused Pappu made video of the same. Thereafter, other co-accused persons also made physical relation with her one by one.



It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. The informant in her statement under Section 164 Cr.P.C has stated that no such occurrence took place and she did not identify anyone except Manish Kumar and said that she has love affair with Manish Kumar and she wanted to marry Manish Kumar and Manish is also ready to marry her. The informant was medically examined and the doctor has assessed her age between 17-18 years and no external or internal injury were found on her private part. Petitioner claims clean antecedent and he is in custody since 20.09.2021.

In view of statement of informant/victim girl under Section 164 Cr.P.C, the petitioner above-named, is directed to be enlarged 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 learned Additional District & Sessions Judge VI-cum-Special POCSO Act, Samastipur in connection with Mahila P.S. Case No. 77 of 2021.

(Prabhat Kumar Singh, J)

vinita/-

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