

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15948 of 2022

Arising Out of PS. Case No.-15 Year-2021 Thana- ATHMALGOLA District- Patna

SAJAN KUMAR @ BALAMUA S/O ASHOK RAY R/o village- Dakshani
Chak, P.S.- Athmalgola, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Binay Kumar Singh
For the Opposite Party/s	:	Mr.Brajendra Nath Pandey
For the State	:	Ms. Sharda Kumari

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 25-07-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under Sections 363, 366A and 376 of the Indian Penal Code and under Section 6 of the POCSO Act.

As per the prosecution case, the minor victim girl aged about 17 years had gone to school to take Admit Card but she did not return and on search, the victim was traceless.

Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. The petitioner has clean antecedent as stated at para 3 of the bail petition. The petitioner is in custody since 05.08.2021. The victim girl in her statement recorded under Section 164 of Cr.P.C has not stated that she was forcibly taken away by the petitioner. She has also not stated about rape. Both of them loved each other. She has further stated that she solemnized her marriage with the petitioner. Learned counsel for the petitioner has further submitted that she gave birth to a female child on 06.03.2022, whose name is Shivani Kumari and presently, she is residing with the petitioner.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum- Special Judge (POCSO) Act, Patna, in connection with Special (POCSO) Case No. 148/2021 arising out of Athmalgola P.S. Case No. 15 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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