

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44383 of 2021**

Arising Out of PS. Case No.-61 Year-2019 Thana- MAHILA P.S. District- Nalanda

Chandan Kumar Son of Birendra Paswan Resident of Village- Berma, Police
Station- Karai Parsurai, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 13-01-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in POCSO Case No. 111 of 2020, arising out of Mahila P.S. Case No. 61 of 2019, registered for the offence under Section 376 & other allied Sections of the Indian Penal Code, Sections 4 / 6 of POCSO Act and Sections 3 / 4 of Dowry Prohibition Act.

As per the prosecution case, this petitioner established physical relation with the victim on the pretext of marriage.

It is submitted on behalf of petitioner that during trial, the victim has not supported the prosecution case. It is further submitted that the victim herself stated that she was 19 years old on the date of complaint and as such, no case under the POCSO Act is made out. The victim is already married and petitioner never established physical relation with her. Petitioner is in



custody since 12.07.2021.

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

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VI cum Special Judge, POCSO Act, Nalanda at Bihar Sharif in connection with POCSO Case No. 111 of 2020, arising out of Mahila P.S. Case No. 61 of 2019.

(Prabhat Kumar Singh, J)

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