

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48844 of 2022

Arising Out of PS. Case No.-249 Year-2021 Thana- BIRPUR District- Supaul

Vikash Kumar Paswan S/O Joganand Paswan Resident of village- Parsakala,
Ward No- 13, P.S.- Balua Bazar, District- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Arun
		Ms. Kanika, Advocates
For the Opposite Party	:	Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in custody in connection with
POCSO Case No.61 of 2021 arising out of Balua Bazar P.S.
Case No.249 of 2021 registered for offences under Sections 363
and 366A/34 of the Indian Penal Code and Sections 4 and 6 of
the POCSO Act. Subsequently, charge-sheet has been submitted
under Sections 363, 366A and 376/34 of the Indian Penal Code
and Sections 4/6 of the POCSO Act.

It has been submitted by learned counsel for the
petitioner that age of the victim girl has been assessed between
16-18 years and in the statement of the girl recorded under
Section 164 of the Cr.P.C, she has stated that she was having
love affair with the petitioner. The medical report has not been



annexed with the present case.

Considering the fact that the age of the victim girl has been assessed between 16-18 years and also considering her statement recorded under Section 164 of the Cr.P.C, this application is allowed.

Accordingly, the petitioner 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 learned Additional District and Sessions Judge, VI-cum-Special Judge POCSO, Supaul in connection with POCSO Case No.61 of 2021 arising out of Balua Bazar P.S. Case No.249 of 2021, subject to the condition that the court below will verify the veracity of the medical report. If the report supports submission of the petitioner that the age of the victim girl has been assessed between 16-18 years then the bail bond of the petitioner shall be accepted. If the report states otherwise, the bail bond of the petitioner shall not be accepted.

(Sandeep Kumar, J)

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