

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50549 of 2022

Arising Out of PS. Case No.-256 Year-2021 Thana- BAISI District- Purnia

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Parmveer Yadav @ Pranveer Kumar Yadav @ Pranveer Kumar S/O Baidnath
Yadav Resident of village- Rajiganj, P.S.- Sadar (Ranipatra), District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal (Sr. Adv.)
	:	Mr. Dr. Bidhu Ranjan, Adv.
	:	Mr. Kumar Rajdepp, Adv.
For the Informant	:	Mr. Rajnish Kumar, Adv.
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-12-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Baisi P.S. Case No. 256 of 2021 lodged under Sections 365,
376, 366(A), 120B of the I.P.C. and cognizance has been taken
for the offences punishable under Sections 366, 498(A), 494,
496 of the I.P.C. and Section 4 of POCSO Act of case no. 45 of
2022 of Baisi P.S. Case No. 256 of 2021.

As per the prosecution case, the allegation has been
made against the present petitioner and his entire family to

create a situation that the informant has filed the complaint case and petitioner developed physical relationship in the name of marriage with the complainant/informant.

Learned counsel for the petitioner submits that from the contents of complaint which subsequently turned into F.I.R. it transpires that everything has been done with the consent of the family but subsequently some misunderstanding aroused due to which the present situation occurred. Learned counsel for the petitioner submits that petitioner is in custody since 25.03.2022 having clean antecedent. Charge-sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that such type of situation is basically a slap on the society in which the female remains the ultimate sufferer for her whole life and submits that appropriate order may be passed so if possible with the restitution between these two persons may take place.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted **provisional bail** on furnishing bail bonds of Rs.30,000/-

(Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VII-cum-Special Court (POCSO), Purnea in connection with Baisi P.S. Case No. 256 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

The Trial Court is directed to conduct a mediation either by itself or through mediation center, so a permanent solution may take place between the parties. If a peaceful

commission takes place between parties then appropriate order shall be passed in this case and bail bond shall be confirmed. Otherwise, appropriate order is directed to be passed without prejudice from the order passed in this order.

With this observation, the bail application stands disposed off.

(Dr. Anshuman, J.)

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