

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35416 of 2023

Arising Out of PS. Case No.-687 Year-2022 Thana- BANKA District- Banka

Sumit Kumar, Son of Parsuram Tanti, Resident of village - Dhonora, P.S. -
Rasalpur (Ackchari), Dist. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-07-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with Banka P.S. Case No. 687 of 2022 dated 31.10.2022 registered for the offences punishable under Section 366(A)/34 of the Indian Penal Code and Section 12 of the POCSO Act.

3. The main submissions advanced by learned counsel for the petitioner are that in the present matter, the so-called victim has been recovered and she has recorded her statement under Section 164 of Cr.P.C. in which she denied the allegations levelled against this petitioner in the FIR and accepted her matrimonial relationship with this petitioner and the Doctor concerned, who examined the victim did not find any injury on her body and the petitioner is a very young person having fair



and clean antecedent.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the facts that the victim has been recovered and she did not make any allegation against this petitioner in her statement recorded before the Judicial Magistrate and also taking into account the petitioner's custody period as well as his young age, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above 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 Court concerned in connection with Banka P.S. Case No. 687 of 2022.

(Shailendra Singh, J)

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