

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45466 of 2022

Arising Out of PS. Case No.-4 Year-2021 Thana- MAHILA P.S. District- Nawada

Sonu Chaudhary Son of Sanjay Chaudhary R/O Village- Sohjana, P.S.-
Nawada Town, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Birendra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 05-04-2023 Let the defects, if any, pointed out by the office be removed within four weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

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

No one appears on behalf of opposite party no. 2 despite notice having been served upon her.

Petitioner seeks regular bail in connection with Mahila P.S. Case No. 04 of 2021 registered for the offences punishable under Sections 376, 341, 323 and 506 of the Indian Penal Code and Section 4 of POCSO Act.

As per the prosecution, the informant (prosecutrix) alleged that this petitioner established physical relationship on

false pretext of marriage and when she got pregnant this petitioner refused to marry her and assaulted and abused her and threatened for dire consequences.

The main submissions advanced by learned counsel for petitioner are that as per the FIR the petitioner is 20 years old and the FIR itself shows that the so called victim and the petitioner were having love affair and sexual relationship between them was consensual which resulted in the pregnancy of the victim and the victim has given birth to twins and the petitioner is ready to marry the victim if he is granted provisional bail and also ready to look after victim's children and in this regard he has filed a petition before the Trial Court and the said petition has signature of victim also. Further submission is that the petitioner has been languishing in jail since 24.01.2021 and chargesheet has been submitted against him.

Learned APP for the State has opposed the bail prayer.

Having considered the above submissions as well as petitioner's custody period and 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 concerned Court in connection with Mahila P.S. Case No. 04 of 2021.

Further on this condition that if the petitioner does not comply with the conditions mentioned in the compromise petition filed before the learned Trial Court, then the learned Trial Court shall take strict action against him by cancelling his bail bond.

(Shailendra Singh, J)

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