

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51463 of 2023

Arising Out of PS. Case No.-41 Year-2023 Thana- MAHILA PS District- Gaya

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Pankaj Kumar Son Of Kailu Chaudhary Resident Of Village- Raghunathpur,
P.S. Fatehpur, District- Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rajmuni Kumari D/O Sri Arjun Chaudhary Resident Of Village- Bhetora,
P.S.- Fatehpur, District-Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-09-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 376,
493 of the Indian Penal Code and Section 6 of POCSO Act.

As per FIR, the allegation against the accused
petitioner is that he has forcibly established physical
relation with the victim/informant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. As per statement of the
victim recorded under Section 164 of the Cr.P.C., which is



annexed with case diary, wherein the victim has stated that she was in love with this petitioner and she made physical relation with him with her own sweet will. It is further submitted that as per certificate of the victim she is at the verge of majority and aged about 17-18 years. The petitioner has got no criminal antecedent. Moreover, he has been languishing in judicial custody since 16.05.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mahila P.S. Case No. 41 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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