

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47735 of 2023

Arising Out of PS. Case No.-332 Year-2022 Thana- SIKARPUR District- West Champaran

MITHUN SAH, S/o Late Sunil Sah R/o Village-Hardiya Ward No.-19, P.S.-
Shikarpur, District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 02-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Shikarpur P.S. Case No. 332 of 2022 dated 23.04.2022
registered for the offences punishable under Section(s) 363,
366(A), 506, 379/34 of the Indian Penal Code and Sections
8/12 of POCSO Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the victim's age has been
disclosed as 15 years in the FIR which is not believable, as per
the informant, who happens to be mother of the victim, the
victim works as a teacher in a private school and the said fact is
sufficient to show the maturity as well as majority of the victim,
in fact petitioner is a staff who also works in the said school and
there was a love affair in between him and the so-called victim.



Further submissions are that the so-called victim has been recovered, after the incident the said victim started living at petitioner's house as his wife and she accepted her matrimonial relation with this petitioner in her statement recorded under section 164 of Cr.P.C. and in this regard the last paragraph of the order impugned may be perused. Further submissions are that the petitioner is a young person having fair and clean antecedent and has been languishing in jail since 26.04.2023 and against him the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair antecedent and the completion of investigation against him, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Shikarpur P.S. Case No. 332 of 2022 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.

(Shailendra Singh, J)

Rajiv/-

U		T	
---	--	---	--

