

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47746 of 2023

Arising Out of PS. Case No.-331 Year-2022 Thana- RAMGARHWA District- East
Champaran

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Ram Chandra Sahni @ Rakesh, Son Of Ravindra Sahni, Resident Of Viillage-
Bairiyai, P.S.- Ramgarhwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raki Alam, Advocate

For the Opposite Party/s : Mr.Binay Krishna, APP

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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
Ramgarhwa P.S. Case No. 331 of 2022 dated 27.09.2022
registered for the offences punishable under Section(s) 366A/
34 of the Indian Penal Code, Section 8 of POCSO Act and
Section(s) 3(1)(w)(i) of the SC/ST Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner has no criminal
antecedent and has been languishing in jail since 24.04.2023
and against him the investigation has been completed and 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
allegation levelled by her father in the FIR. Further submissions
are that in fact there was love affair in between the petitioner



and the said victim and they have solemnized marriage and victim's statement recorded by her before the Judicial Magistrate has been discussed in the order impugned which goes to show that the victim solemnized marriage with this petitioner in a temple and as per the assessment made by the Judicial Magistrate regarding victim's age, her age has been assessed as 17 years while as per Medical Board's opinion her age has been assessed between 18-19 years.

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

5. Considering the above submissions, and mainly the petitioner's fair antecedent and his custody period and also victim's statement recorded under section 164 of Cr.P.C. discussed in the order impugned, 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 Ramgarhwa P.S. Case No. 331 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)

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