

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55971 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- EKCHARI District- Bhagalpur

Prabhat Kumar S/O Naresh Mandal R/O Village- Ekchari Diyaras, P.S-
Ekchari, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 341, 323, 354, 376, 504, 506/34 of the Indian Penal Code and sections 4/8 of POCSO Act.

3. As per allegation in the FIR, on the pretext of marriage, petitioner was in physical relationship for the last five years and when the informant insisted him for marriage, petitioner denied. It is further alleged that on 19.4.2023, petitioner called the informant at a particular place and petitioner's brother assaulted and threatened her.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



been falsely implicated in this case. In statement of 164 Cr.P.C., she has accepted about her love affair with the petitioner but she has not any allegation in respect of rape against the petitioner. Petitioner has got no criminal history and languishing in judicial custody since 20.4.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge (POCSO) cum 7th Addl. Distt. And Sessions Judge, Bhagalpur in connection with Ekchari PS Case No. 25 of 2023.

(Sunil Kumar Panwar, J)

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