

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57338 of 2023

Arising Out of PS. Case No.-461 Year-2022 Thana- SHAHKUND District- Bhagalpur

Mithilesh Kumar @ Mithilesh Kumar Ram Mahendra Ram R/O- Village-
Pairdomania, P.S.- Shahkund, Dist- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal
	:	Mr.Pravin Kumar Sinha
For the Opposite Party/s	:	Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 02-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 376, 341, 323, 506, of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per FIR, the informant alleged that the petitioner on false pretext of marriage established physical relation with her due to which she became pregnant. Thereafter he denied to perform marriage.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this



present case due to ulterior motives. From perusal of the impugned order, it appears that the victim is aged about 18 years and there is consensual relation between the parties. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 01.05.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Shahkund P.S. Case No. 461 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge POCSO-cum-7th Additional District and Sessions Judge, Bhagalpur.

(Sunil Kumar Panwar, J)

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