

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60130 of 2022**

Arising Out of PS. Case No.-31 Year-2022 Thana- MAHILA PS District- Aurangabad

Raja Kumar Son Of Parmeshwar Ram @ Prameshwar Ram R/O Village-
Angania, P.S.- Simra, District- Aurangabad (BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Shantanu Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 17-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Aurangabad (Mahila) P.S. Case No. 31 of 2022 registered under sections 376 (D), 341, 323, 313 and 34 of the Indian Penal Code and Section 6 of the POCSO Act.

As per allegation made in the F.I.R, petitioner has established physical relationship with the informant on the pretext of marriage resulting to her pregnancy. She has further alleged that by administering medicine, her pregnancy was got terminated by him. On 28.08.2022 on the basis of telephonic call, she went out for marketing with the petitioner at market but in spite of marketing, he along with his two friends again



established physical relationship in hotel with her. Further alleged that when she went to the house of the petitioner to inform the matter to his parents, they assaulted and ousted her from the petitioner's house.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to dirty politics. It is further submitted from para-10 of this petition that the statement of the victim was recorded under Section 164 of the Cr.P.C, in which she has not supported the F.I.R and not whispered any complicity of the petitioner but further stated that the same was lodged due to pressure from her family members. As per medical report, the age of the victim has been assessed about 18 to 19 years, so the POCSO Act is not made out against the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 31.08.2022.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to



enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Aurangabad (Mahila) P.S. Case No. 31 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge cum Special Exclusive Judge (POCSO), Aurangabad.

(Sunil Kumar Panwar, J)

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