

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64139 of 2023

Arising Out of PS. Case No.-245 Year-2022 Thana- BIKRAM District- Patna

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SUNNY @SUNNY KUMAR SON OF SUBODH SAW RESIDENT OF
VILLAGE- MANJHAULI, PS- BIKRAM, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Usha Kumari Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Special Case no.29 of 2023 (arising out of Bikram P.S. Case no.245 of 2022) registered under section 376 of the Indian Penal Code and sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, the petitioner is said to have established physical relations with the informant.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The petitioner subsequently entered into marriage with the informant and are living as a family along with their child. It is the informant who has sworn the affidavit for the instant petition for bail. The petitioner had been enlarged on anticipatory bail vide order



dated 20.7.2023 passed in Cr. Misc. no.31141 of 2023, however, the petitioner had been taken into custody prior to passing of the said order.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., the submissions made on behalf of the petitioner as recorded herein above, the petitioner being in custody since 6.4.2023, chargesheet having been submitted in the case and the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Special Case no.29 of 2023 (arising out of Bikram P.S. Case no.245 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 District and Sessions Judge VII-cum-Exclusive Special Court (POCSO Act), Patna.

(Partha Sarthy, J)

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