

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.65319 of 2022**

Arising Out of PS. Case No.-112 Year-2022 Thana- BARIYARPUR District- Munger

Tinku Kumar @ Tinku Srivastava Son of Rajesh Jaiswal @ Rajesh Srivastava  
Resident of Village- Kalyanpur, P.S.- Bariarpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vaishnavi Singh, Adv.  
For the Opposite Party/s : Mr. Binay Krishna, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
ORAL ORDER

2      16-02-2023                      Let the defect(s), if any, be removed within two weeks  
from today.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Bariarpur P.S. Case No. 112 of 2022 lodged under Sections 376,  
420, 506/34 of the I.P.C. read with Section 6 of the POCSO Act  
and Sections 3(1)(r)(s), 3(2)(v) of the SC/ST Act.

As per the prosecution case, the allegation of rape  
with a view to marry has been made in the F.I.R.

Learned counsel for the petitioner submits that from  
the contents of the F.I.R. itself, it is crystal clear that the F.I.R.  
has been lodged by the story narrated by the alleged victim to  
her mother, whereas Annexure-2 is the Aadhar Card of the

alleged deceased according to which, she is major and not only that in her statement recorded under Section 164 of the Cr.P.C., she has narrated that commission of rape has not been made with her and presently, the victim is residing with her mother. Counsel for the petitioner further submits that the antecedent of the petitioner is clean and he is in custody since 13.07.2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VI-cum Exclusive Special Judge (POCSO Act), Munger in connection with Bariarpur P.S. Case No. 112 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

sadique/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|