

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74474 of 2023

Arising Out of PS. Case No.-8 Year-2022 Thana- MAHILA P.S. District- Muzaffarpur

PREM KUMAR SON OF DINESH RAM RESIDENT OF MOHALLA -
SIKANDARPUR, STADIUM CAMPUS, P.S. - TOWN, DISTRICT -
MUZAFFARPUR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. KHUSBOO KUMARI D/O PRAMOD CHAUDHARY R/O MOHALA-
SIKANDARPUR STADIUM CAMPUS, P.S- TOWN, DISTT.-
MUZAFFARPUR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is in custody since 07.06.2023 in connection with Mahila P.S. Case No. 08/2022 registered for the offence punishable under Sections 341/342/448/506/493/376 of the Indian Penal Code and Section 4/6 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have committed rape upon the victim.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. Learned counsel for the petitioner further submits that the petitioner and the victim are neighbours. He also submits that there is delay of



about one month in lodging the F.I.R. The petitioner has no criminal antecedents.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and from reading of the F.I.R., it appears that this is a case of consensual sex, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-7 cum Special Court, POCSO-II, Muzaffarpur in connection with Mahila P.S. Case No. 08/2022.

(Sandeep Kumar, J)

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