

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69564 of 2022

Arising Out of PS. Case No.-47 Year-2020 Thana- KOTWALI District- Munger

VIKRANT SAHNI @ VIKRANT KUMAR Son of Anil Sahni R/o- Baluhaie,
P.S.- Khagaria, District- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-03-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 366(A) / 34 of the Indian Penal Code and Section 8 of the POCSO Act.

It is submitted on behalf of petitioner that the victim, in her statement recorded under Section 164 Cr.P.C., has denied the prosecution case and categorically stated that she has solemnized marriage with this petitioner on 04.02.2020. The medical board has also assessed her age between 17-18 years. It is further submitted that out of the wedlock, a male child was also born in November, 2021 and she (victim) alongwith her child is residing with this petitioner. Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.



Considering the statement of the victim recorded under Section 164 Cr.P.C. as well as the fact that she alongwith her child resides with this petitioner, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail 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 Act)-cum-Additional Sessions Judge VI, Munger in connection with Kotwali P.S. Case No. 47 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that ***one of the bailor would be the victim / wife of the petitioner.***

(Prabhat Kumar Singh, J)

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