

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76296 of 2023

Arising Out of PS. Case No.-139 Year-2022 Thana- SITAMARHI District- Sitamarhi

Shrawan Kumar @ Chandan Kumar Son Of Fekan Das Resident Of Village-
Bhup Bhairo, Ward No. 9, Ps- Sitamarhi, Distt- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shatrudhan Sah Son Of Late Ganeshi Sah Resident Of Village- Bhup
Bhairo, Ward No. 9, Ps- Sitamarhi, Distt- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-11-2023 Heard Mr. Santosh Kumar, learned counsel for the

petitioner and Mr. Bhanu Pratap Singh, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
07.03.2022, in connection with Sitamarhi P.S. Case No. 139 of
2022, F.I.R. dated 26.02.2022 registered for the offences
punishable under Sections 363, 366(A), 379/34 of the Indian
Penal Code and Section 8 of the POCSO Act.

3. From perusal of the record, it appears that earlier
prayer for bail of the petitioner was allowed vide order dated
13.07.2023 passed in Cr. Misc. No.21343 of 2023 with
condition that 'one of the bailors shall be the victim, namely,
Usha Kumari' however, petitioner has filed a modification



petition vide Cr. Misc. No.64341 of 2023 for modification of the aforesaid condition, which was rejected vide order dated 22.09.2023 in terms of Section 362 of Cr.P.C.

4. The petitioner has again renewed his prayer for bail by way of the present application.

5. Since on the earlier occasion, the petitioner has been granted bail on the ground that the petitioner has performed marriage with the victim and therefore, victim was ordered to be a one of the bailors of the petitioner and the petitioner has now renewed his prayer for bail on the ground that the victim is not ready to become bailor of the petitioner, this Court is not persuaded with the submission advanced on behalf of the petitioner. Accordingly, the prayer for bail of the petitioner is again rejected.

(Rajesh Kumar Verma, J)

Prakash Narayan

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