

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4581 of 2024

Arising Out of PS. Case No.-37 Year-2023 Thana- MAHILA P.S. District- Bhagalpur

Md. Sonu Son of Late Md. Warish R/o vill - Paschim Dharari, p.s. - Kharik,
Distt. - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. XXXX D/o Moain @ Bhole R/o vill - Osmanpur Tola, P.S. - Kharik, Distt. - Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.J.N. Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 12-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail
in connection with Naugachia (Mahila) P.S. Case No. 37 of
2023, registered for the offences punishable under Sections
376D/34 of the IPC.

3. The certificate issued by Mukhiya in respect of
marriage of the victim with Md. Samsool has been furnished by
the learned counsel for the petitioner while argument. Let it be
kept on the record.

4. As per allegation, on the pretext of marriage, the
petitioner used to sexually exploit the victim. Whenever the



victim pressurized him for marriage, he threatened to make her videograph viral on the social media platform. On 26.08.2023, at about 2:30 PM, the petitioner called the victim in a garden and started making physical relation with her but in the meantime, some persons gathered there and the victim narrated the whole incident to them. Further, the petitioner refused to marry her.

5. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As a matter of fact, the victim and the petitioner have love and affairs between them. The relationship between them was consensual. The petitioner is still ready to solemnize marriage with the victim but she has already solemnize marriage with one Md. Samsool. The petitioner is under custody since 29.11.2023.

6. On the other hand, the learned APP for the State Sri J.N. Thakur has opposed the prayer for bail and submitted that the victim, in her statement under Section 164 of the Cr.P.C., has supported the prosecution case.

7. Considering the above-mentioned facts and circumstances as well as period of custody which is nearabout eight months, let the petitioner above-named be released on bail



on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (POCSO)-cum-7th Additional District & Sessions Judge, Bhagalpur in connection with Naugachia (Mahila) P.S. Case No. 37 of 2023 and POCSO Case No. 207 of 2023, subject to the following condition:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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