

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6989 of 2024

Arising Out of PS. Case No.-31 Year-2023 Thana- MAHILA P.S. District- Sitamarhi

Raj Kumar @ Sriram Kumar @ Ram Kumar Son Of Jai Narain Sah R/O-
Banaul, (Banaul) Ward No. 10, P.S.-Nanpur, District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 16-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Sitamarhi Mahila P.S. Case No. 31 of 2023, lodged on
25.09.2023, under Sections 341/323/379/376/504/34 of the
Indian Penal Code and under Sections 4/6 of Protection of
Children from Sexual Offences Act.

3. As per the prosecution, FIR has been lodged against
the present petitioner and two others. Allegation of developing
physical relation in the name of marriage is there in the FIR.
When the victim became pregnant, then in that case the
petitioner has refused to marry.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is in custody since 29.09.2023 having no criminal antecedent. Counsel also submits that case diary and statement under Section 164 Cr.P.C. has been received and in the statement under Section 164 Cr.P.C. it has been accepted by the victim that physical relation has been developed with consent. Counsel for the petitioner submits that petitioner is ready to marry with the victim but the victim is not available. She went to Delhi with her family.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted **provisional 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 Sessions Judge VI-cum-Special Judge, POCSO Act, Sitamarhi, in connection with Sitamarhi Mahila P.S. Case No. 31 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

7. **The bail bond of the petitioner shall be**



**confirmed after production of marriage certificate of the
petitioner with the victim within 6 months.**

Mkr./-

(Dr. Anshuman, J)

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