

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17464 of 2024

Arising Out of PS. Case No.-364 Year-2023 Thana- BANIAPUR District- Saran

Sanjeet Kumar S/o- Shivjee Sah R/o- Kanhauli Manohar, Ps- Baniapur Dist- Saran

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-07-2024 Heard learned counsel for the petitioner and the State .

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 376(a)(B) of the Indian Penal Code and Sections 3 and 4 of POCSO Act.

3. As per the prosecution case , on the alleged date and time of occurrence , when the victim was sleeping outside her house on *Machan* , in the meantime , on call of Sanjeet Kumar (petitioner) she went to his house and thereafter with her consent, this petitioner developed physical relation . It is further alleged that on 29.08.2023 , on call of Sanjeet Kumar (petitioner) victim again went to his house and there this petitioner forcibly tried to establish physical relation with her



but she objected to do so .

4. Learned counsel for the petitioner submits that the victim in her statement recorded under Section 164 Cr. P . C has denied the prosecution case and has not alleged any sexual assault with her. She further stated that she was forced to lodge the present false and concocted case .

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the statement of the victim recorded under Section 164 Cr. P . C and other circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, 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 the learned Additional Sessions Judge VI-cum-Special Judge POCSO Act, Saran Chapra in connection with Baniapur P.S. case No. 364 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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