

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15184 of 2024

Arising Out of PS. Case No.-42 Year-2023 Thana- ARWAL MAHILA District- Jehanabad

Sonu Kumar S/o Sanjay Ram @ Sanjay Kumar R/o vill - Rupaich, P.S. -
Mehandiya, Distt. - Arwal

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Arwal Mahila PS Case No. 42 of 2023, dated 06.10.2023, instituted for the offence punishable under Sections 376 and 506 of the IPC and Section 4 of the POCSO Act.

3. As per the prosecution case, the petitioner used to establish physical relation from past 2-3 years with the victim on the pretext of marriage and when the victim insisted him to marry then the petitioner denied.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has been falsely implicated in this case. It is submitted that from perusal of the FIR, it is apparent that she herself disclosed her age as 19 years and according to



her, the petitioner is alleged to establish physical relation on 04-10-2023 and hence no case under Section 4 of the POCSO Act is made out. It is also apparent from the FIR that the victim was in love with the petitioner since last 3-4 years and used to talk with him by phone and in the month of October, 2023 the petitioner is alleged to have established physical relation with her. The petitioner is in custody since 07-10-2023 having no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-VI-cum Special Judge, POCSO Jehanabad, in Arwal Mahila PS Case No. 42 of 2023.

(Khatim Reza, J)

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