

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21940 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- NAANPUR District- Sitamarhi

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SANOJ KUMAR Son of Gorak Sahani @ Ram Prabhu Sahani Resident of Village-Mohani, P.S.-Nanpur, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. PAWAN DEVI WIFE OF RAMBHAROSI SAHNI Resident of Village - Barhad, P.S. - Hathauri, District - Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 02-07-2024 Heard learned counsel for the petitioner as well as learned APP for the State and the learned counsel for the informant.

2. In this case, the petitioner is seeking regular bail in connection with Nanpur P.S. Case No. 206 of 2023, registered for the offences punishable under Sections 341, 323, 379, 376, 504, 506, 34 of the IPC and Section 8 of the POCSO Act.

3. As per allegation, the petitioner made physical relations with the informant’s daughter at the pretext of marriage, due to which, she became pregnant. Further, the petitioner denied to marry her. Thereafter, the victim went to the house of the petitioner where the accused persons, named in the FIR, abused and assaulted her by catching her locks.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has submitted further that two years prior to the occurrence, the similar allegation was also leveled against two other persons by the same informant and on the basis of her statement, Hathauri P.S. Case No. 183 of 2022 was lodged. He has also submitted that the informant is habitual in lodging the false case against the innocent persons. He has next submitted that the FIR was lodged in May, 2023 in which it has been stated that the victim became pregnant as she was sexually assaulted by the petitioner whereas the report of ultrasound shows that the victim is a married lady and the name of her husband in ultrasound report has been mentioned as Alok Kumar.

5. On the other hand, the learned APP for the State as well as the learned counsel for the informant have opposed the prayer for bail and submitted that the victim in her statement under Section 164 of the Cr.P.C. has fully corroborated the allegation.

6. The materials available with the record shows that prior to the present case, the informant has lodged the similar case against the innocent persons. The report of ultrasound shows that the victim is a married lady and name of her husband is Alok Kumar.

7. Considering the above-mentioned facts and



circumstances, 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 Additional Sessions Judge-VI-cum-Special Judge (POCSO Act), Sitamarhi in connection with Nanpur P.S. Case No. 206 of 2023, subject to the following conditions:-

- (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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