

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33870 of 2024

Arising Out of PS. Case No.-562 Year-2023 Thana- COMPLAINT CASE District- Banka

Sunil Kumar @Sunil Yadav Son Of Chhotelal Yadav Village - Chaitavaran,
Ps- Bandhuakurawa, Dist- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manti Devi Wife Of Jairam Rai Village - Pratappur, Ps- Bandhuakurawa,
Dist- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Adv.
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is accused in connection with Complaint
Case No. 562 of 2023 registered under Section 366A of the
Indian Penal Code and Section 4 of POCSO Act.

3. It is alleged that on 21.03.2023, this petitioner along
with other accused persons took away the minor daughter of the
informant and forced her to marry and also made physical
relation with her.

4. Submission of learned counsel for the petitioner is that
petitioner is innocent and has falsely been implicated in the
present case due to dirty village politics. Petitioner has not



committed any offence as alleged in the complaint case. It is further submitted that the complaint case has been filed after a delay of 21 days of the alleged occurrence. As a matter of fact, the victim girl has not been medically examined, even the age of the victim has not been determined in any way and as such no offence of sexual intercourse and POCSO Act are made out against the petitioner. The police after investigation has submitted charge-sheet. Petitioner is under custody since 21.03.2024.

5. Having considered the above facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI-cum-Special Judge POCSO, Banka in connection with Complaint Case No. 562 of 2023.

(Prabhat Kumar Singh, J)

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