

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37734 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- MAHILA P.S. District- Siwan

Rahul Kumar Yadav Dharmendra Yadav @ Dharmendra Kumar Yadav
Village- Lakshmipur Siswan Dhala Ps- Siwan Town Dist- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amisha Kumari D/o- Ramdhyan Yadav Village- Dahabari Ps- Andar Dist- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s :	Mr. Shyam Kumar Singh, A.P.P. Kumari Anupam, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-08-2024 Heard learned counsel for the petitioner, O.P. No. 2
and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Section 376 of the Indian Penal Code and Sections 4, 6 of the Protection of Children from Sexual Offences Act.

3. According to F.I.R., on pretext of marriage, this petitioner established physical relation with opposite party No. 2 and thereafter refused to marry.

4. Learned counsel for the petitioner submits that from bare perusal of the F.I.R. it is apparent that both parties were major and relationship was consensual. Petitioner and



opposite party No. 2 enjoyed each other's company for three years and indulged in sexual act being fully aware about the consequence of such relationship and as such, the same cannot be said to be induced or involuntary. Petitioner has got clean antecedent.

5. Learned A.P.P. for the State as well as learned counsel for the opposite party No. 2 vehemently opposed the bail application.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 Additional District & Sessions Judge-VI-cum-Exclusive Special Judge, POCSO, Siwan in connection with Mahila P. S. Case No. 19 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

