

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41059 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- MAHILA PS District- Darbhanga

Shiv Kumar @Shiv Balak S/O Yogendra Prasad Singh @Bhogi Mandal
@Yogendra Prasad R/O Village ward no.11, Matharahi, P.S. Baheri, Distt-
Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Hira Devi W/o Ramsukhit Mandal R/o Village-Matharahi, P.S.- Baheri,
District-Darbhangha

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmod Ban Bihari Singh, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 15-07-2024 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 376, 323, 354(C), 354(D), 504, 506/34 of the Indian Penal Code and Sections 4, 6 of the Protection of Children from Sexual Offences Act.
3. As per the prosecution case, on false pretext of marriage, this petitioner made physical relations with the informant for more than five years.
4. Learned counsel for the petitioner submits that at the time when physical relationship was established between the parties, both parties were major and they continued to enjoy each other's company for years together. It is next submitted



that the informant was well aware of the consequences of such relationship and merely because the relationship did not work out, this case has been instituted under Section 376 of the Indian Penal Code only with a view to harass the petitioner. Petitioner claims clean antecedent.

5. 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 Special Judge (POCSO), Darbhanga in connection with Mahila P. S. Case No. 18 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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