

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53521 of 2023

Arising Out of PS. Case No.-95 Year-2022 Thana- AKBARNAGAR District- Bhagalpur

Anand Kumar Son Of Sadanand Mandal Resident Of Village-Kishanpur, Ps-
Akbaragar, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 24-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 376 of the Indian Penal Code and Section 4/6 of the POCSO Act.

3. As per prosecution case, it is a case of having sexual relationship with the minor victim/daughter of the informant by the petitioner on the pretext of marriage. But when the victim got pregnant, the petitioner denied for the same.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is next door neighbour of the victim due to which he has falsely been implicated in this case. From perusal of Case diary, it is evident that the statement of victim girl has been recorded u/s 161 as well as 164 of the Cr.P.C. in which she has



not whisper the complicity of the petitioner regarding physical assault. She only stated that there was love affairs between the victim and the petitioner. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 13.2.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Spl. POCSO Case No. 218 of 2023 arising out of Akbarnagar P.S. Case No. 95 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, VI-Cum Exclusive Spl. Judge, POCSO, Bhagalpur.

(Sunil Kumar Panwar, J)

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