

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68043 of 2023

Arising Out of PS. Case No.-181 Year-2023 Thana- ADAPUR District- East Champaran

Sunil Kumar Son Of Raj Kumar Prasad Resident Of Village - Shekhawa Tola,
P.S. - Adapur, Disrict - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Kant Singh
For the State	:	Mrs. Indiarwar Kumari
For the Informant	:	Mr. Kundan Rathore @ Kundan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-03-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 341, 376, 504 and 34 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

3. Allegation against the petitioner, in brief, is that on the pretext of marriage, the petitioner established physical relationship with the informant for many years and, thereafter, refused to marry her and threatened to leak and viral her MMS video if she lodge F.I.R..

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the victim has been determined to be more than 19 years by



medical board and the relationship was made by the consent of the victim. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for anticipatory bail and submitted that the victim in her statement under Section 164 of Cr.P.C., has supported the prosecution case.

6. Considering the facts and circumstances of the case and the judgment of the Hon'ble Apex Court passed in the case of *Ansaar Mohammad vs. the State of Rajasthan and Anr.* (Criminal Appeal No. 962 of 2022), let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Adapur P.S. Case No. 181 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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