

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77481 of 2023

Arising Out of PS. Case No.-291 Year-2023 Thana- SAKRA District- Muzaffarpur

Ajit Kumar S/O Bhuvan Sahni Village- Meerapur, Ps. Sakra, Dist. Muzaffarpur

... .. Petitioner/S
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Anirudh Kumar Sinha
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per FIR, the informant alleged that the petitioner
on false pretext of marriage, established physical relation with her
due to which she became pregnant. Thereafter, he solemnized
marriage with another girl.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that there is gross delay in lodging the FIR without explanation of any valid cause of delay, cause of action arose after one month of pregnancy when the petitioner alleged to be broken relation with her but the present FIR registered after four and a half month of pregnancy. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he surrendered before learned Court below on 07.07.2023, since then he is languishing in judicial custody.

5. Learned APP for the State has vehemently opposed the prayer of bail and submitted that petitioner is named in the FIR and there is specific allegation against the petitioner. As per statement of the victim recorded under Section 164 of the Cr.P.C., which is annexed with case diary, from which it appears that the victim is a minor girl, who is aged about 16 years and she has stated that the petitioner on false pretext of marriage continuously established physical relation with her due to which she conceived pregnancy of five months, later on he denied to solemnize marriage rather one month before he solemnized marriage with another girl. During investigation, several witnesses have supported the prosecution case.

6. Having heard the learned counsel for the parties and



considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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