

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77816 of 2023

Arising Out of PS. Case No.-168 Year-2023 Thana- NOKHA District- Rohtas

RAJNIKANT KUMAR SON OF VIRENDRA SINGH RESIDENT OF
VILLAGE- RAGHUNATHPUR, PS- NOKHA, DISTT- ROHTAS AT
SASARAM Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 15-03-2024 Heard learned counsel for the parties.

2. The petitioners seek regular bail in connection with
Nokha P.S. Case No. 168 of 2023 POCSO case No. 87 of 2023
registered for the offence under Section 376 of IPC and Sections
4 / 8 of the POCSO Act.

3. As per the prosecution case, the allegation against
the petitioner is that he used to visit the house of the informant
and established physical relation with her on the pretext of
marriage.

4. Learned counsel for the petitioners submits that the
petitioner is innocent and has falsely been implicated in the
present case. He further submits that informant and petitioner
are co-villager and next door neighbour and the name of the
petitioner was involved in the present case in previous land
dispute. Investigation is already concluded and charge sheet has



already been submitted in this case.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR, case diary, pregnancy test report of the victim, case diary and statement of victim recorded under Section 164 of Cr.P.C., it appears that petitioner and the victim were living with long before the lodging of FIR and there is consensual sex relation but after refusing the marriage with victim, she registered FIR against the petitioner. Petitioner and victim has admitted that they were in love affair with each other and were in sexual relation with own will.

7. Considering the aforesaid facts and circumstances of the case also also taking into account the period of custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – VI, Exclusive Special Court, POCSO, Rohtas at Sasaram in connection with Nokha P.S. Case No. 168 of 2023.

(Ramesh Chand Malviya, J)

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