

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82514 of 2023

Arising Out of PS. Case No.-277 Year-2022 Thana- SANOKHAR District- Bhagalpur

Abhinandan Sah SON OF ANUPLAL SAH RESIDENT OF VILLAGE-
KASHDI, P.S.- ANTICHAK, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ambrish Kumar Jha

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-03-2024 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 sections 376, 313, 504, 34 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per prosecution case, allegation against the petitioner is of causing sexual relation with the daughter of the informant/victim as a result of which she got pregnant thereafter, the petitioner denied from the marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of FIR as well as statement of the victim recorded u/s 164 of the Cr.P.C., it



seems there is consensual relation between both. The victim also stated that due to consensual sexual relation, she got pregnant which was terminated by the petitioner by giving her medicine. It is also submitted that the informant lodged this false case just to put pressure upon the petitioner for marriage of her daughter with 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 21.3.2023.

5. Learned counsel for the informant appeared and asserted regarding consensual relation between both the parties.

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 Sanokhar (Amdanda) P.S. Case No. 277 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-cum-Spl. Judge (POCSO), Bhagalpur.

(Sunil Kumar Panwar, J)

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