

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3405 of 2025

Arising Out of PS. Case No.-39 Year-2023 Thana- MAHILA P.S. District- Araria

Pravesh Kumar S/o- Late Yogendra Mahaldar Resident of village- Rampur
Ward No 11, P.S.-Mahalgaon Jokihat, District-Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari D/o- Furtal Mahaldar Resident of Village- Rampur, Ward No. 11 PS-Mahalgaon (Jokihat) District-Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindeshwar Kumar, Advocate
For the O.P. No.2	:	Mr. Sudhir Kumar Mishra, Advocate
For the State	:	Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 15-02-2025 1. Heard Mr. Bindeshwar Kumar, learned counsel
for the petitioner, Mr. Sudhir Kumar Mishra, learned counsel
for the O.P. No.2 and Mr. Suresh Prasad Singh, learned APP for
the State.

2. The petitioner seeks regular bail in connection
with Special (POCSO) Case No. 72 of 2024 arising out of
Mahila P.S. Case No. 39 of 2023 dated 13.10.2023 registered
for the offence(s) punishable under Sections 341, 323, 354, 376,
504, and 506 read with Section 34 of the IPC and Section 4 of
the POCSO Act.

3. The main submissions advanced by the learned



counsel for the petitioner are that as per the medical opinion with regard to victim's age, her age has been opined between 16-18 years by the medical expert and the petitioner is 21 years old person having fair and clean antecedent and languishing in jail since 19.08.2024 and also in the present time, a good relation has restored in between them and they have compromised and both the parties are co-villagers, there is no dispute in between them. He further submits that the medical evidence in respect of sexual assault to the victim is completely unbelievable as the FIR was registered after 31 days of the commission of the alleged occurrence.

4. Learned counsel appearing for the informant does not oppose the petitioner's prayer and submits that in view of the compromise made by both the parties, a lenient approach may be taken in respect of petitioner's prayer.

5. Considering the aforesaid submissions and mainly petitioner's fair and clean antecedent and his custody period and also completion of investigation against him, this court is inclined to release him on bail. Accordingly, let the petitioner named-above be enlarged on bail in connection with Special (POCSO) Case No. 72 of 2024 arising out of Mahila P.S. Case No. 39 of 2023 on furnishing bail bond of Rs. 20,000/- (Rupees



Twenty Thousand) with two sureties of the like amount each to
the satisfaction of the Court concerned.

(Shailendra Singh, J)

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