

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3844 of 2025

Arising Out of PS. Case No.-473 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Rakesh Kumar @ Suraj Kumar @ Kargil Kumar S/O Vikash Sharma @
Vilash Sharma R/O Chikni Barsam, P.S.- Saur Bazar, Dist.- Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Meena Devi W/O Pavitar Das R/O Subedari Tola, Ward No. 44, P.S. And Dist.- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

10 15-09-2025

Heard the parties.

2. Explanation as furnished by learned Special Judge, POCSO, Saharsa through letter no. 95 dated 25.07.2025 stands accepted, in view of reason supplied thereof.

3. It transpires out of submission and perusal of record that the petitioner remains in custody since 08.10.2024 for about 8 months before granting of provisional bail vide order dated 14.08.2025. It is submitted that even victim could not examined in this case in view of Section 35(1) of POCSO Act and moreover victim and petitioner solemnized marriage on 24.08.2025 in presence of



their family members and in support of which the photographs and their joint affidavit made available to this Court through second supplementary affidavit dated 10.09.2025. It is further submitted that victim has already a female child with petitioner, namely, Sakshi Sharma. It is submitted that the petitioner after expiry of terms of provisional bail as discussed aforesaid surrendered before learned Special court on 15.09.2025, i.e., today itself.

7. Considering aforesaid, petitioner above named, is directed to be released on bail accordingly petitioner above named, is directed to be released on bail in connection with Saharsa Sadar P.S. Case No. 473 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, POCSO, Saharsa /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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