

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22477 of 2025

In
CRIMINAL APPEAL (SJ) No.3897 of 2024

Arising Out of PS. Case No.-400 Year-2020 Thana- AMARPUR District- Banka

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Ritesh Kumar Son of Sanjay Kapri Resident of Village - Shobhanpur, P.S. -
Amarpur, District - Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Daughter of Late Tarini Das Daughter of Late Tarini Das ,Resident of
Village - Saha, at present residing at Village - Shabhanpur, both P.S. -
Amarpur, District - Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 11-11-2025 Heard the learned counsel for the parties.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 376, 504, 506 and 34 of the Indian Penal Code, Sections 3(1)(r)(w) of the SC/ST Act with Section 4 of the POCSO Act being added subsequently, registered in connection with Amarpur P.S.Case No. 400/2020.

3. Allegedly, the petitioner and the victim were romantically involved and the former exploited the latter sexually on the pretext of marriage.

4. The learned counsel for the petitioner has



submitted that admittedly the victim is a major girl as she has mentioned her age as 18 years in her written report. It is further submitted that there was love and affection between the petitioner and the informant/victim. Both are major. The learned counsel has also submitted that since there was love and affection between the two adults, the provision of SC/ST (POA) Act is not attracted.

5. The alleged victim is admittedly above 18 years. There was romantic relationship between the petitioner and the victim, but the petitioner, according to allegation, did not solemnize marriage.

6. Considering the above facts and circumstances, let the petitioner above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- 6th-cum-Special Judge (POCSO), Banka in connection with Amarpur P.S. Case No. 400/2020, subject to the conditions as laid down under Section 438(2) of the CrPC/482(2) of the BNSS.

7. The petitioner shall remain present



physically before the learned court below on each and every date till framing of charges.

(Nawneet Kumar Pandey, J)

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