

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32481 of 2025

Arising Out of PS. Case No.-547 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

Rohit Kumar S/O Binod Tanti Resident of Village- Laxmipur, P.S.- Amarpur,
District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guriya Kumari D/O Late Bogi Mandal R/O Village- Mahammadpur Mahesh, P.S- Jagdishpur, Distt.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Bachan Jee Ojha, Advocate
For the O.P. No.2	:	Mr. Krishna Chandra Ojha, Advocate
For the State	:	Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned APP for the
State.

2. The petitioner seeks bail in a case registered for
the offences punishable under Sections 354, 366A and 376 of
the Indian Penal Code and Section 3/4 of the POCSO Act.

3. The prosecution is based upon a complaint made by opposite
party no.2, which was subsequently converted into an F.I.R.
under Section 156 (3) Cr.P.C. The allegation in the said
complaint/F.I.R. is that the daughter of the complainant, who is
a minor girl, was called on mobile by the petitioner and was



forcibly taken away to a deserted house by one Subodh Kumar where he established physical relationship and withheld her for one and half hour. It is further stated that when she came back to her house, she disclosed the fact to her mother where after a panchayati was called but the petitioner refused to follow the decision of the Panchayat. It is after this that the present complaint was filed.

4. At the very outset, it is submitted by learned counsel for the petitioner that there is inordinate delay of one month in lodging the complaint as the occurrence allegedly took place on 10.09.2023 but the complaint was filed on 10.10.2023, after due thought and deliberation and after the panchayati could not bring the desired result. It is further submitted that the victim girl was medically examined and her medical report is Annexure-P/3 to the present petition, disclosing her age to be 17-19 years. On the strength of this, it is submitted that the prosecution story appears to be very strange as the victim left her house in the night when her entire family was present and she did not raise any alarm. It is submitted that as a matter of fact the petitioner and the victim are in love relationship and the matter has been compromised. A compromise petition dated 23.04.2025 has already been filed before the learned Court



below in the present case and the same has been brought on record as Annexure-P/5, wherein it has been stated that by the intervention of the some well wishers, the matter has been settled between the parties and the informant neither wishes to give any evidence nor wants to pursue the case any further. It is also submitted that the petitioner is agreeable in getting married with the victim of the present case and he would take steps in the said direction. It is lastly submitted that petitioner is an educated person and has been selected in Railway and Police Service and the selection letters are also brought on record as Annexure-P/4 to this petition. The petitioner has been languishing in custody since 28.02.2025.

5. Learned counsel for the informant/opposite party no.2 is also present. However, he does not oppose the grant of bail to the petitioner.

6. Taking into consideration the facts and circumstances of the case as well as the fact that the petitioner is ready to marry with the victim girl and there is no opposition from the side of the opposite party no.2 in granting privilege of bail to him, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Court below where the case is
pending/successor Court in connection with Jagdishpur P.S.
Case No.547 of 2023.

(Soni Shrivastava, J)

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