

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61340 of 2024**

Arising Out of PS. Case No.-13 Year-2024 Thana- JAMALPUR District- Munger

Saurav Kumar Son of Munna Rajak R/o Village- Nayagaon Mungraure Chowk, P.S.- Tedhi Gali, Jamalpur, District- Munger

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Raushani Kumari D/o Upendra Tanti R/o Village- Chhoti Daulatpur, P.S.- Jamalpur, District- Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad
For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 18-03-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Jamalpur P.S. Case no. 13 of 2024 instituted for the offence punishable under Sections 379, 493, 417, 420 of the Indian Penal Code, Section 3/4 of the POCSO Act and Sections 66(B), 66(C), 66(E), 67(A), 67(B), 67(C) and 72 of the IT Act.

3. As per allegation in the FIR, after taking 16 years old minor informant in full confidence, petitioner established physical relationship with her on the pretext of marriage. It is further alleged that petitioner also shoot a video clip of physical



relation in his mobile. When the victim/informant pressurized the petitioner to get marry, he denied her proposal and threatened her that if she narrates the occurrence to anyone, he will make viral her video clip on social media to tarnish her image.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence.

5. Earlier for the same occurrence, Complaint Case No. 1258C of 2022 was filed and cognizance has been taken under Section 417 IPC against the present petitioner, namely, Saurabh Kumar. Later on, other complaint case no. 30C of 2023 has been filed and on that basis the present case is Jamalpur P.S. Case No. 13 of 2024 registered. In present case, date of occurrence has been mentioned in coloumn 4 of the complaint petition i.e. from 20.03.2018 to January, 2022.

6. Earlier complaint case no. 1258(C) of 2022 was filed in respect of occurrence which was commenced from 20.03.2018 to January 2022.

7. Statement of the victim girl was recorded u/s 164 Cr.P.C. in which she has stated a different story, which is mentioned in para 41 of the case diary.



8. After January, 2022 no occurrence has taken place as alleged in the FIR. It is stated that in the month of November, 2022, petitioner refused to marry the victim. Apart from that no specific allegation is attributed to the petitioner after January, 2022. So for the same occurrence, two cases cannot be exist simultaneously.

9. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Jamalpur P.S. Case no. 13 of 2024, he will 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 learned Exclusive Special Judge POCSO-cum-ADJ VI, Munger subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

sushma/-

U		T	
---	--	---	--

