

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75553 of 2024

Arising Out of PS. Case No.-153 Year-2024 Thana- BARGAINIA District- Sitamarhi

Suraj Kumar S/O Kapildev Das Resident of Village - Marpa Tahir, P.S. -
Bairgania, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Parvati Devi W/O Moti Lal Ram R/O Village - Marpa Tahir, P.s.- Bairgania,
District - Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dinesh Jha, Advocate
For the Opposite Party/s	:	Mr.Rina Sinha, APP
For the informant	:	Mr. Dwij Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-01-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Bairgania P.S. Case No. 153 of 2024 registered on
29.06.2024 for the offenses punishable under Sections 341, 376,
420, 504, 506, 34 of the Indian Penal Code and Sections 4 and 6
of the Protection of Children from Sexual Offences Act, 2012.

3. As per the prosecution, the petitioner alleged to
have established physical relationship with the minor daughter
of the informant. As a result of which, informant's daughter got
pregnant and thereafter, the informant got the pregnancy of
informant's daughter terminated forcefully. The petitioner



established physical relationship with the victim continuously and ultimately denied to perform marriage with the victim.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. In fact, due to local village politics, the petitioner's name has been inserted in this case as the petitioner is not supporting the informant's party. The antecedent of the petitioner is clean and basically, the petitioner is a victim in this case.

5. Learned counsel for the informant submits that the entire allegation is true and correct. In this regard, the victim got her statement recorded under Section 164 of the Cr.P.C. before the Trial Court which has been duly acknowledge by the Trial Court in its order, at the time of hearing the anticipatory bail application of the petitioner. In this background, the bail application of the petitioner may be rejected.

6. Learned APP for the State vehemently opposes the prayer for bail and submits that the Trial Court in the rejection order has specifically observed that the victim of this case, in her statement recorded under Section 164 of the Cr.P.C., has made direct and specific allegation against the petitioner.

7. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of



the petitioner in connection with Bairgania P.S. Case No. 153 of 2024 , pending before the learned Additional Sessions Judge- VI-cum-Special Judge (POCSO Act), Sitamarhi, is hereby rejected.

(Dr. Anshuman, J)

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