

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76356 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- KASBA District- Purnia

Md. Faizan S/o- Md. Bechan Res of village- Fatehpur Ward no 2, Ps- Kasba District- Purnia

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ansari Khatoon W/o- Belal Sah Village- Fatehpur W.No-3, Ps- Kasba Dist- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate. Mr. Bidhu Ranjan Ms. Diksha Kumari
For the Opposite Party/s	:	Mr. Ajit Kr. Singh
For the State	:	Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 22-01-2025 Heard learned senior counsel for the petitioner,

learned counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with Kasba P.S. Case No. 126 of 2024 registered for the offence under Sections 323 and 376 of the Indian Penal Code and under Section 3/4 of the POCSO Act.

3. From the statement of the minor victim girl, it appears that the petitioner has committed rape with her. The petitioner is in custody since 28.06.2024.



4. It has been argued by the learned senior counsel for the petitioner that the present case arises out of a complaint case and because of the dispute over marriage, this case has been instituted against the petitioner.

5. Learned senior counsel for the petitioner has further argued that there is a delay of five months in lodging of the complaint case.

6. Learned counsel for the informant has opposed the bail application of the petitioner and has submitted that the delay has been explained as panchayati was held and therefore no criminal case was registered.

7. Considering the facts of the case and the delay in filing the complaint case, this application is allowed.

8. Let the petitioner, above named, 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 the learned ADJ-VI-cum-Special Judge, POCSO Act, Purnia/concerned Court below in connection with Kasba P.S. Case No. 126 of 2024.

9. As a condition of this order, the petitioner, after being released on bail is directed not to tamper with the evidence and he is also directed to co-operate in the trial either



by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Non-compliance of the condition will result in cancellation of the bail bonds of the petitioner.

(Sandeep Kumar, J)

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