

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78607 of 2024

Arising Out of PS. Case No.-634 Year-2023 Thana- Kharagpur District- Munger

Abhishek Kumar Son of Ramvaran Paswan Resident of Village -Gopalpur
Tola, PS- H. Kharagpur (Shampur), Distt.- Munger

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kanchan Devi Wife of Kundal Paswan Resident of Village -Gopalpur ,
Paswan Tola, PS- H. Kharagpur (Shampur), Distt.- Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chandra Shekhar Sharma
		Mr. Dharendra Nath Jha
For the Opposite Party/s :		Mr.Binod Kumar
For the O.P. No. 2	:	Mr. Om Prakash Prasad

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 02-07-2025 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned APP for the State.

2. The petitioner seeks bail in connection with
Kharagpur (Shampur) P.S. Case No. 634 of 2023 registered for
the offence under Sections 376(3), 341, 323, 504, 506, 509/34 of
the Indian Penal Code and under Sections 4, 6 of the POCSO
Act.

3. As per the prosecution case, the petitioner is
accused of committing rape upon the victim.

4. It has been submitted by the learned counsel for
the petitioner that the petitioner and the victim girl have got
married and they are blessed by a child also.



5. Considering the aforesaid facts, this application is allowed.

6. 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 Court of Exclusive-Special Judge, POCSO-cum-Additional Sessions Judge-VI, Munger/successor Court in connection with POCSO Case No. 2 of 2024 arising out of Kharagpur (Shampur) P.S. Case No. 634 of 2023.

7. Before accepting the bail bonds of the petitioner, the Court below will verify the fact of marriage between the petitioner and the victim and after getting satisfied that the petitioner and the victim are married, the bail bonds of the petitioner shall be accepted. If the fact of marriage is disputed then appropriate order shall be passed by the Court below.

(Sandeep Kumar, J)

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