

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83631 of 2024

Arising Out of PS. Case No.-552 Year-2024 Thana- DAUDNAGAR District- Aurangabad

Ujjwal Kumar S/O Umesh Singh Village- Anchha PS- Daudnagar District-
Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX, C/O Ujjawal Kumar Village- Anchha PS- Daudnagar District-
Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Santosh Kumar Pandey, Adv.
For the Opposite Party/s :	Mr. Shailendra Kumar, APP.
	Mr. Amresh Kumar, Adv.
	Mr. Rabindra Kumar, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 11-04-2025 Heard learned counsel for the petitioner, learned A.P.P. for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 376(3), 312 of the Indian Penal Code and Section 4 of the POCSO Act, 2012.

3. The prosecution case, in brief, is that the petitioner and the informant were Facebook friends right from 2017 whereafter they got engaged in talking to each other on mobile. It is further alleged that the petitioner called the informant at Varanasi, Mohania and Dehradun several times and established physical relationship on the pretext of marriage.



4. Learned counsel for the petitioner submits that as per FIR, the occurrence took place in the year 2017, but the present case came to be lodged in the year 2024. He further submits that all the allegations levelled against the petitioner are totally false and based on concocted facts. The petitioner and the informant have solemnized marriage before Sri Surya Mandir Trust Committee Daudnagar, Aurangabad which is authorized by the Bihar State Religious Trust Council, Patna and subsequently, took oath before the Executive Magistrate. Learned counsel for the petitioner has also brought on record the photocopy of the marriage certificate, which is annexed as Annuexure-P/2 of this petition. Learned counsel for the petitioner further submits that the petitioner is working as a Relationship Manager in DCB (Development Credit Bank) at Bhabhua where he is residing along with the informant, as mentioned in para 14 of the petition.

5. Learned counsel appearing on behalf of the informant also supports the submissions made on behalf of the petitioner submitting that after her marriage, the informant is residing with the petitioner on her sweet will without any threat or coercion.

6. Considering the clean antecedent of the petitioner and



also the fact that the informant had gone and stayed with the petitioner at several places and never raised any objection with regard to the fact that she had been taken away by the petitioner forcibly and now, after solemnizing marriage, they are residing happily, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Additional Sessions Judge VI-cum-Special Exclusive Judge (POCSO), Aurangabad in connection with Daudnagar P.S. Case No. 552 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

divyanshi/-

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

