

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85869 of 2024

Arising Out of PS. Case No.-208 Year-2024 Thana- PANCHRUKHI District- Siwan

Sonu Kumar Singh @ Sonu Kumar S/o Sharma Singh Resident of Village-
Premhatha, PS- Siwan Muffassil, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Adv

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 04-04-2025 Heard learned counsel for the petitioner and the
State.

2. The petitioner makes a prayer for grant of regular bail in connection with Pachrukhi P.S.Case No. 208 of 2024 registered under section 363 and 366 (A) of the Indian Penal Code.

3. It would appear from perusal of the FIR, that the informant's sister, who is said to be of about 17 years of age, was enticed away by the petitioner namely, Sonu Kumar, 20 years of age, along with unknown person for the purpose of performing marriage.

4. Learned counsel for the petitioner submits that from perusal of the FIR, it would appear that the case has been lodged after an inordinate delay of two months and for which no



plausible and substantial explanation has been tendered.

5. It would also appear from the statement of the victim girl recorded under section 164 of the Cr.P.C, that she is aged about 18 years and had given different date of occurrence. She has further stated that on 01.04.2024 she was taken away by the petitioner along with his friend and some relationship was established with her. However, she said that she was left at Siwan Station on 27.05.2024.

6. Further, on perusal of the statement under section 164, it would appear that on 28.05.2024 she has married to one Ravi and has also admitted that the petitioner is the nephew of her paternal aunt. In paragraph- 26 and 60 of the case diary, it has transpired that according to her educational certificate her date of birth is 02.04.2005 and hence, she was a major. From the medical report of the victim girl, it would appear from paragraph-72 of the case diary that vaginal swab was sent for medical examination in which no spermatozoa was found.

7. However, the girl is said to be pregnant at the time of cross- examination, which gets explained by the fact that she has already married to one Ravi Kumar Baitha and her age in the medical report is between 17 to 22 years.

8. Considering the aforementioned facts and the



statement of the victim girl as also the fact that there is inordinate delay of two months in lodging of the FIR, the petitioner is enlarged 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 Judicial Magistrate, 1st class, Siwan in connection with Pachrukhi P.S.Case No. 208 of 2024.

(Soni Shrivastava, J)

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