

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89842 of 2024

Arising Out of PS. Case No.-54 Year-2022 Thana- MAHILA P.S. District- Samastipur

=====

Sujeet Kumar @ Sujet Kumar S/O Jaylal Das @ Jai Lal Sah Resident of
village- Najirpur PS- Ujjyarpur District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Puja Kumari D/O Jitendra Das Resident of village- Najirpur PS- Ujjyarpur
District- Samastipur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Bhubneshwar Mahto, Advocate Mr. Pranav Kumar, Advocate
For the Opposite Party/s	:	Mr.Surendra Prasad Singh, APP
For the Informant	:	Mr. Abhijit Kumar Singh, Advocate Mr. Gaurav Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 08-05-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner apprehending his arrest in

connection with Samastipur Mahila P.S. Case No. 54 of 2022,

registered for the offences punishable under Section 376 of IPC

and Section 10 of the POCSO Act and charge was submitted under

Sections 354A, 354C, 419 of the IPC and 67(A) 66(D) of IT Act.

And Section 8/12/14 of the POCSO Act.

3. The allegation against the petitioner, who is the tutor

of the victim, kidnapped the complainant aged about 17 years, as

to force her for illicit intercourse/marriage with another person.



4. Learned counsel appearing on behalf of the petitioner submitted that initially the father of the complainant lodged a case of similar nature, alleging petitioner to kidnap the complainant/minor daughter, which upon investigation found false, whereafter subsequently, when out of her own sweet will, complainant went alongwith petitioner to Delhi and returned therefrom after passing of substantial period of time, upon instigation of her parents, the present complaint was lodged after about eight months of the alleged occurrence. It is submitted that the statement of victim recorded under Section 164 of Cr.P.C. appears tutoured and, moreover, the matter now stands compromised between the parties.

5. Learned APP duly assisted by learned counsel Mr. Abhijeet Kumar Singh, appearing on behalf of the informant could not disputed the submission as advanced by learned counsel appearing for the petitioner and further affirmed that matter compromised between the parties

6. Considering the aforesaid facts and circumstances and by taking note of fact as the first case lodged by the father of the informant regarding kidnapping and sexual assault of complainant found false whereafter the present complaint case was lodged after 6-7 months of the alleged occurrence, where



prima facie, it appears that the victim accompanied petitioner up to Delhi and lived together for substantial period of time, where matter also said to be compromised between the parties, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge VI-cum-Special Court (POCS)), Samastipur/concerned Court, where the case is pending in connection with Samastipur Mahila P.S. Case No. 54 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

veena/-

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

