

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11339 of 2026

Arising Out of PS. Case No.-59 Year-2024 Thana- CHAUTHAM District- Khagaria

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Sunil Kumar S/o- Panchlal Mahto R/v- Lalpur Ps- Chautham Dist- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o Y R/v- Lalpur, W.No-4, Ps- Chautham Dist- Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Ms. Nirmala Kumari, A.P.P.
For the Informant	:	Mr. Pankaj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-03-2026 Heard learned counsel for the petitioner, informant
and learned A.P.P. for the State.

2. Petitioner seeks regular bail in connection with Chautham P. S. Case No. 59 of 2024 registered for the offences punishable under Sections 376, 504/34 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act.

3. As per prosecution case, this petitioner established physical relation with minor daughter of the informant on pretext of marriage and thereafter, refused to marry.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Victim was fully aware of the consequences of such relationship which



continued for about one year. He further submits that acts of repeated intimacy and sexual relationship was consensual in nature and was not established under any false promise, threat or coercion and such, the same cannot be said to be induced or involuntary. As a matter of fact, it is a case of prolonged love affair between two consenting parties which has been given a colour of forcible sexual intercourse with oblique purpose and motive. Petitioner claims clean antecedent and is in custody since 03.01.2026.

5. However, learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application.

6. Considering the nature of accusation, clean antecedent and period of custody, this bail application is allowed. The petitioner, above named, is directed to 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 Exclusive Special Judge, POCSO Act, Khagaria in connection with Chautham P. S. Case No. 59 of 2024.

(Prabhat Kumar Singh, J)

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