

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34067 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

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Dildar Ansari S/o Late Mahmud Ansari resident of Sichai Colony Area Tar
Bangla Behind High School, Dehri, P.S. Dehri, District - Rohtas

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bhaskar Shankar

For the Opposite Party : Mr. Nawal Kishore Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-10-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 14.05.2015 in
a case instituted under Sections 376 and 504/34 of the Indian
Penal Code and Section 4 of POCSO Act.

The informant herself made an allegation upon the
petitioner that in the pretext of solemnizing marriage with her, she
was continuously being raped whereupon she conceived and gave
birth to a female child. When with her parents and her female
child went to the house of the petitioner, they were badly abused
and thrown away by the mother of the petitioner.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 14.05.2015. Chargesheet has

been submitted in the case. There is no allegation of tampering of evidence against the petitioner. As per allegation, petitioner is said to have physical relationship for two years with the informant and thereafter refused to marry her. Petitioner denies the said allegation. From perusal of the medical report, it appears that there is no such finding in relation to the physical relation with the informant. Petitioner is aged about 18 to 19 years as per medical report. It is further submitted that the petitioner may be released after completion of nine months in custody from 14.05.2015.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, it is directed that the petitioner be released after completion of nine months in custody from 14.05.2015 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction learned Ist Additional Sessions Judge-cum-Special Judge, Sasaram in connection with Mahila P.S.Case No.22 of 2015.

(Sudhir Singh, J)

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