

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22297 of 2015

Arising Out of PS.Case No. -8 Year- 2015 Thana -TATARPUR District- BHAGALPUR

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Md. Safikul @ Safikul son of Abdul Seikh Resident of village- Maharajpur
Islampur, P.S.- Barharwa, District- Sahebganj, Jharkhand

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Uma Nath Mishra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 09-07-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
28.03.2015 in a case registered for the offences punishable under
Sections 419, 467, 468, 471, 366A, 376 of the Indian Penal Code
and Section 6 of Protection of Children from Sexual Offence Act.

The accusation is of kidnapping the
informant and establishing forceful physical relationship.

It is submitted by learned counsel for the
petitioner that in 164 Cr.P.C. statement the informant has got her
age recorded as 17 years when the court has assessed as 15 years
and as per the medical opinion her age has been assessed between
14-16 years where she has admitted that she was in love with the

petitioner and she called the petitioner and thereafter both victim and the petitioner went to Bhagalpur via Muzaffarpur and Kiul and performed marriage but while they were talking with the friends and in-laws then police came and apprehended them. The medical report suggests that doctor has not found sign of sexual intercourse.

A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional Sessions Judge – cum- Special Judge, Bhagalpur in connection with Tatarpur P.S. Case No. 08 of 2015.

(Dinesh Kumar Singh, J)

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