

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14079 of 2015

Arising Out of PS.Case No. -113 Year- 2014 Thana -KASBA District- PURNIA

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Md. Nasruddin son of Md. Mumtaz Resident of village - Lahsuna, Police Station - Kasba, District - Purnia.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rasida Khatoon D/o Md. Alauddin R/o Vill - Lahsuna, P.S. Kasba, Distt. Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Hussain, Advocate

For the State : Mr. A.P.P.

For the Opposite Party

No. 2 : Mr. Bipin Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

4 20-07-2015 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 376, 504 and 506/34 of the Indian Penal Code and Sections 3 and 7 of the Protection of Children from Sexual Offence Act, 2012.

It is submitted by the learned counsel for the petitioner that with the intervention of the well wishers both the parties agreed to solemnize marriage between petitioner and opposite party no. 2. Thereafter, Nikah has been made between them and Nikahnama is Annexure-2 to this petition. It is further submitted that opposite party no. 2 has been living in her matrimonial house after Nikah peacefully. It is also submitted that the petitioner will maintain her with dignity.

Learned counsel for the opposite party no. 2 has accepted the contention of the learned counsel for the petitioner and has submitted that the petitioner may be enlarged on bail to lead conjugal life with opposite party no. 2.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge cum Special Judge, Purnea, in Special Case no. 20 of 2014 arising out of Kasba P. S. Case no. 113 of 2014 with the following conditions:-

1. The petitioner will not indulge himself in similar or any other offence.
2. One of the bailors must be the close relative of the petitioner.
3. The petitioner will be well represented in the court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned court concerned.

(Amaresh Kumar Lal, J)

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