

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52945 of 2015

Arising out of PS. Case No. -22 Year- 2015 Thana -MAHILA PS District- BUXAR

Mustafa Sheikh son of Rahman Sheikh, resident of village- Nazirganj, P.S.-
Koransarai, District- Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin (APP)

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 15-12-2015

Heard Mr. Ashok Kumar Mishra, learned counsel for
the petitioner, learned counsel for the State and Mr. Ajit Kumar
for the informant.

The petitioner apprehends his arrest in connection
with Buxar Mahila P.S. Case No. 22 of 2015 for the offences
punishable under Sections 376 and 420 of the Indian Penal
Code.

The allegation as set out in the FIR is that on the
pretext of marriage petitioner had physical relationship with the
prosecutrix since 2014. Since the petitioner has refused to marry
her, hence it has led to the institution of the case.

Although learned counsel appearing for the informant
has submitted that the informant is a minor girl and the
relationship has been established by misleadaing her but Mr.

Mishra referring to the statement of the informant placed at Annexure-2 submits that the age of the informant is recorded as 18 years and which has also been accepted by the Magistrate.

Having heard learned counsel for the parties and considering the circumstances existing, let the petitioner, namely, Mustafa Sheikh in the event of his arrest or surrender within four weeks from today 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 Sub Divisional Judicial Magistrate, Buxar and/or the court concerned in connection with Buxar Mahila P.S. Case No. 22 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

S.Sb/-

(Jyoti Saran, J)

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