

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20967 of 2016

Arising Out of PS.Case No. -79 Year- 2015 Thana -MAHILA P.S. District- MADHUBANI

1. Birju Ram Son of Late Shyam Ram, resident of Mohalla Suratganj Ward
no. 17, East of Batachowk, P.S.- Madhubani, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Md. Ansar-Ul-Haque (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 19-05-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The petitioner is languishing in jail custody since 04-02-2016 in a case registered under Sections-376, 120(B), 506/34 of the Indian Penal Code and under Section-4 of the POSCO Act.

The victim has admitted in her statement, recorded u/S 164 of the Cr.P.C. that she was in love with the petitioner since last one year and furthermore, she stated that she was, forcibly, taken away by the petitioner in a room on 30-10-2015 and she remained there for one day and on the next day, her mother came there and then, her mother raised hue and cry, which attracted neighbouring people and then, the present case was lodged.

Learned counsel, appearing for petitioner points out

that the victim was major at the time of alleged occurrence, which is evident from perusal of the medical report, in which, she was found aged about 19 years. It is further submitted that as a matter of fact, the victim was in physical relation with the petitioner by her own sweet will but subsequently, when she was caught by her mother, she lodged the present case against the petitioner.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Madhubani Sadar Mahila P.S. Case No. 79 of 2015 to the satisfaction of learned Additional Sessions Judge-Ist, Madhubani.

A.K.V./-

(Hemant Kumar Srivastava, J)

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