

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34564 of 2016

Arising Out of PS.Case No. -81 Year- 2015 Thana -CHAKAMHESI District- SAMASTIPUR

1. Md. Raju son of Md. Kamal Ansari @ Md. Kamal resident of Village-
Chakmahesi, P.S. Chakmahesi District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Ehteshamuddin

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 22-09-2016 Heard Mr. N.A. Samshi, learned counsel for the
petitioner, learned Additional P.P. and Md. Abdul Haidar, learned
counsel for the informant.

The petitioner apprehends his arrest in Chakmahesi P.S.
Case No. 81 of 2015, registered for the offences punishable under
Sections 376(i) and 506/34 of the Indian Penal Code and Section 4, 6 of
POCSO Act.

The informant made allegation that Md. Raju, the
petitioner firstly committed rape with her and thereafter he continued to
establish physical relation with her on the pretext of marriage. The
informant became pregnant and when she requested the petitioner to
marry, the petitioner refused. A Panchayati was also held. It is
submitted that marriage has already been solemnized. The victim is a
major girl.

Learned counsel for the informant appeared and admitted the fact and stated that the informant has filed a petition before the learned A.C.J.M., Samastipur stating that according to the compromise petition the informant was married with the petitioner.

Considering the facts aforesaid and the fact that the petitioner has already been married with the informant, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Samastipur in connection with Chakmahesi P.S. Case No. 81 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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