

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5278 of 2016

Arising Out of PS.Case No. -42 Year- 2015 Thana -MAHILA PS District- KATIHAR

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Rajekul, son of Takru, resident of village - Govindpur, Police Station -
Abadpur, District - Katihar

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Najeeb Ahmad, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 11-05-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with Mahila P.S. Case No.42 of 2015 for allegedly
having committed the offence under Sections 376 and 506/34
of the Indian Penal Code and Section 4 POCSO Act.

Learned counsel for the petitioner submits that
though there is an allegation of rape, the victim girl was having
a relationship with the present petitioner, which she has
admitted in her subsequent statement made before the police. It
is further submitted that on medical examination, the victim
girl has been found to be 17-18 years of age. Moreover, no
internal or external injury was found on her person so as to

indicate the incident of rape.

Considering the nature of allegations and the materials, which have surfaced in the case diary, which clearly indicate that the victim girl was, in fact, having illicit relationship with the petitioner for the past few months and had also established physical relationship, let 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, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri R.P. Singh, learned Special Judge, Katihar, in connection with Mahila P.S. Case No.42 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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