

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40228 of 2016

Arising Out of PS.Case No. -37 Year- 2016 Thana -AMAUR District- PURNIA

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Md. Sabir son of Late Jamaluddin resident of Village : Saharriya, P.S:
Routa, District : Purnea at present resident of Village : Simalbari, P.S.:
Amour, District : Purnea.

.... Petitioner/s

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Sada Nand Roy, Adv.

For the Opposite Party/s : Mr. Sri Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

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20-09-2016

Heard learned counsel for the petitioner as well as learned

Additional Public Prosecutor.

Though instant case has been registered under Section 376,506,34 of the IPC on the written report of victim Bibi Nirala, aged about 20 years, major one but from narration of the written report, it is evident that the girl as well as petitioner both happens to be consenting party and on account thereof, at an earlier occasion the girl has gone to the place of petitioner who being orphan, was being maintained by his maternal uncle as well as maternal grandmother. During course thereof, those persons ousted her. On the following day Panchayati was held and in Panchayati also petitioner consented to marry whereupon gone to the place of the informant. However, it happens to be the maternal grandmother, maternal uncle who came to the place of informant and forcibly took away the petitioner. Because of the fact that they indulged in threatening the prosecution party on account thereof, instant case has been registered.

In the facts and circumstances of the case, petitioner Md. Sabir is directed to 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 learned Chief Judicial Magistrate, Purnea in connection with Amour P.S. Case No.37/2016.

Side-by-side Superintendent of Police, Purnea is directed to
intervene in accordance with law and for that purpose office is directed to
communicate.

(Aditya Kumar Trivedi, J.)

