

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48050 of 2016

Arising Out of PS.Case No. -81 Year- 2014 Thana -SAHAR District- BHOJPUR

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Md. Asghar S/o Late Hanif Mian, R/o Village- Phulwarisharif Mohalla
Chunauti Kuan Nahar Per, Lal Mian Ke Dargah, P.S.- Phulwarisharif,
District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rina Sinha, Advocate

For the Opposite Party/s : Mr. Sri Bisheshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 28-11-2016 Heard the counsel for the petitioner and the APP for
the State.

A complaint was lodged by the victim without disclosing her age that the petitioner being a distant relative used to come to her house and subsequently, established physical relationship with her but later denied to marry with her.

Contention of the petitioner is that her age has not been disclosed by the complainant. The complainant later married with another person and, in fact, she informed the Court about the same. It may be a case of relationship with consent. The petitioner is in custody since 30.01.2016.

Considering the facts and circumstances of the case and having no criminal antecedent, the petitioner, above named, is directed to be released 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 Session Judge-I, Bhojpur at Ara in connection with Session Trial No. 194 of 2016 arising out of Sahar P.S. Case No. 81 of 2014 subject to the following conditions:

- (i) One of the bailors shall be own/close family members of the petitioner.
- (ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the court below. In case of default in doing so on two consecutives occasions without any cogent / satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

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(Kishore Kumar Mandal, J)