

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7459 of 2017

Arising Out of PS.Case No. -97 Year- 2016 Thana -AWADPUR District- KATIHAR

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Md. Salim @ Salim, Son of Md. Bishu, Resident of village - Sonapur, P.S.
Abadpur, District - Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sri Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-02-2017 Heard the parties.

The petitioner apprehends his arrest in Abadpur P.S.
Case No.97 of 2016 for the offences punishable under Sections
363(A), 366(A)/34 of the Indian Penal Code and Section 4 and 16
of the POCSO Act.

It has been submitted on behalf of the petitioner that no
case is made out under Section 366A of the Indian Penal Code as
also under Section 4 and 16 of the POCSO Act as according to the
FIR itself a Nikahnama was made between the parties and the
petitioner kept the complainant for three months and thereafter
ousted from the house.

Heard learned A.P.P. also, who has opposed the prayer
for bail, but has not been able to controvert the aforesaid facts.



Having heard both sides. Considering the nature of offence as also considering the fact that Nikahnama is there as per the FIR itself between the parties, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar in connection with Abadpur P.S. Case No.97 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and subject to the further conditions that the petitioner shall cooperate in the investigation and make himself available as and when required by the police and if any serious material comes against him after submission of charge-sheet, the prosecution is at liberty to move for cancellation of his bail bonds.

Arvind/-

(Vinod Kumar Sinha, J)

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