

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26135 of 2017

Arising Out of PS.Case No. -16 Year- 2017 Thana -JOGAPATTI District-

WESTCHAMPARAN(BETTIAH)

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Gyasuddin Ansari Son of jamadar Mian, Resident of Village-Dihi Madarpur, Police
Station-Jogapatty, District-West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 01-07-2017

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with S.
G. R. No. 4 of 2017 arising out of Jogapatti P.S. Case No. 16 of 2017
dated 09.01.2017 instituted under Sections 448/376/506/34 of the
Indian Penal Code and 4 of the Protection of Children from Sexual
Offences Act, 2012.

3. The allegation against the petitioner is that he had



established physical relationship with the daughter of the informant, who was a minor, on the pretext of marriage.

4. Learned counsel for the petitioner submitted that the parties were in consensual relationship and because they were caught red handed, F.I.R. was lodged but later on, the petitioner has married the informant's daughter on 18.01.2017 and thereafter compromise petition has been filed by the informant. Learned counsel submitted that the petitioner and his family are ready to keep the daughter of the informant as his sole legally wedded wife with full dignity, honour and security.

5. Learned A.P.P. submitted that once there is marriage between the parties and compromise arrived, the Court may take a lenient view.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 1st-cum- Special Judge, Bettiah, West Champaran in S. G. R. No. 4 of 2017 arising out of Jogapatti P.S. Case No. 16 of 2017, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.



7. The petitioner shall give an undertaking to the Court that he shall keep the daughter of the informant as his wife with full dignity, honour and security. Any violation of the terms and conditions of the undertaking shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

Anjani/-

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