

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41684 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -DAGARUA District- PURNIA

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Md. Sanawar @ Md. Sanowwer son of Md. Mofil, resident of village-
Udharana, P.S.- Dagaruwa, District- Purnia.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Advocate

For the State : Mr. S.M. Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Dagaruwa P.S. Case No.37 of 2017 registered under Sections 341,
323 and 376/34 of the Indian Penal Code and Section 4 of the
Protection of Children from Sexual Offences Act.

According to the first information report, the informant
has alleged that he was in love with the petitioner, who had
established physical relationship with her on the pretext of
marrying her after she would attain majority. The informant has
further alleged that she came to know on 17.02.2017 that the
petitioner is going to be married with another lady on 19.02.2017



whereafter she went along with her parents and requested the petitioner to marry her, but despite promise made by him, he married another lady on 19.02.2017.

Learned counsel for the petitioner has submitted that there is no truth behind the story narrated in the first information report. He submitted that the informant wanted to marry the petitioner with whom she has herself stated in the FIR that she was having very intimate relationship. He submitted that the FIR has been instituted only because the petitioner refused to marry her and married another lady. He further contended that the doctor, who examined the victim, has assessed her age to be between 17-18 years.

Learned counsel for the State has opposed the prayer for bail.

Regard being had to the facts and circumstances of the case, the petitioner named above 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 learned 1st Additional Sessions Judge-cum-Special Judge, Purnia in connection with Special POCSO Case No.18 of 2017 arising out of Dagaruwa P.S. Case No.37 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure, in the event of arrest or surrender before the court
below within six weeks.

(Ashwani Kumar Singh, J)

Md.S./-

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