

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6000 of 2017

Arising Out of PS.Case No. -43 Year- 2016 Thana -GARAUL District- VAISHALI(HAJIPUR)

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Shamsher Alam @ Md. Shamsher Alam, Son of Lal Mohammad Shah,
Resident of Village-Chapith, P.S. Goraul (Kathaura O.P), District-Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 12-04-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Garaul
P.S. Case No. 43 of 2016, registered under Section 376 of the
Indian Penal Code and Section 4 and 6 of POCSO Act.

The accusation is that on the pretext to perform
marriage with the informant, petitioner developed physical
relation with her since September, 2013. On 02.01.2016, the
informant and petitioner were seen in objectionable position by
their family members. Thereafter, a Panchayati was convened in
which petitioner and his family members refused to perform
marriage with the informant.

Learned counsel for the petitioner submits that, in



fact, the parents of the informant intended to perform the marriage of the informant with this petitioner, but family members of the petitioner refused to perform marriage with her due to that reason, this false case has been lodged. Further submission is that petitioner has no criminal antecedent and in custody since 02.08.2016. Further submission is that after investigation, the Chargesheet has also been submitted against the petitioner.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Addl. District and Sessions Judge-1-cum-Special Judge, Hajipur at Vaishali in connection with Goraul P.S. Case No. 43 of 2016.

(Rajendra Kumar Mishra, J)

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