

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40766 of 2017

Arising Out of PS.Case No. -132 Year- 2017 Thana -BARSOI District- KATIHAR

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Md. Rajib, Son of Md. Tofir, Resident of Village- Guwagawon, P.S.-
Barsoi, District- Katihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Adv.

For the Opposite Party : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner, leaned
counsel for the informant and learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Barsoi P.S. Case No.132 of 2017,
registered for the offence punishable under Sections 341, 342,
147, 354B, 323 and 504 of the Indian Penal Code and under
Section 8 of the POCSO Act.

Allegation has been made against the petitioner that
he has taken away the girl of the informant forcibly and kept in
his house. However, the girl in her statement recorded under
Section 164 of the Cr.P.C. has made allegation against her father
that he wanted to solemnize her marriage with an old man and on
that account, she has gone along with the petitioner.



Learned counsel for the informant submits that on the date of commission of offence the girl was minor. But, the girl in her statement denied the allegation of forcibly separation from the family and stated that as her father wanted to solemnize her marriage with an old man she has gone along with the petitioner.

Looking to the aforesaid facts, let the petitioner, namely, Md. Rajib, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge, 1st -cum-Special Judge, Katihar, in connection with Barsoi P.S. Case No.132 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

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