

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20372 of 2017

Arising Out of PS.Case No. -61 Year- 2016 Thana -JALALGARH District- PURNIA

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1. Sanoj Kumar Paswan @ Sanoj Paswan son of Late Gujai Paswan R/o
village - Bijuliya, P.S. - Jalalgarh, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 11-07-2017 Heard both sides.

The petitioner seeks bail in Jalalgarh P.S. case No. 61
of 2016 under Section 376/34 of the Indian Penal Code and under
Section 12 of POCSO Act.

The victim alleged that on 07.05.2016 her maternal
brother, Suman Biswas, with his friend Sanoj Paswan, the
petitioner, came to her house and took her to market. Her maternal
brother left her with Sanoj Paswan on an auto rickshaw and went
away with his motor cycle. The victim further alleged that Sanoj
Paswan, the petitioner, took her to different places and also raped
her.

The learned counsel for the petitioner submits that
the victim voluntarily moved all along with the petitioner. The



doctor has assessed the age of victim between 17-18 years. The victim appears to be major and a consenting party. It is further submitted that the petitioner solemnized marriage with the victim but again father of the victim took her to his own place and thereafter her marriage was solemnized with another person.

The learned counsel for the informant appeared and submitted that the victim has also solemnized marriage and she does not want to pursue the case. The matter has already been settled. The learned Additional Public Prosecutor submitted that the victim is a minor girl.

Taking into consideration the facts that victim moved all along with the petitioner and she appears to be a consenting party, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum- Special Judge, Purnea in Jalalgarh P.S. Case No. 61 of 2016, Special case No. 34 of 2016.

(Prabhat Kumar Jha, J)

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