

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7168 of 2018

Arising Out of PS.Case No. -32 Year- 2016 Thana -MAHILA P.S. District- KISANGANJ

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Shamser Alam, S/o Md. Safir Alam @ Safir, Resident of Village- Nichitpur
Malani, P.S.- Thakurganj, District- Kishanganj. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha
For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 06-02-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Kishanganj Mahila PS Case No. 32 of 2016 (Special Case No. 14 of 2016) registered under Sections 376, 323, 504/34 of the IPC and Sections 4/5 of the Prevention of Children from Sexual Offence Act.

The allegation in brief is that the petitioner used to establish sexual relationship with the prosecutrix several times on pretext to get married with her later on but refused to marry.

Learned Counsel for the petitioner submits that statement of the girl recorded under Section 164 Cr.P.C. indicates consensual relationship and the girl is major 18 year of age.

Having considered the said facts and circumstances, the petitioner, namely, Shamsheer Alam is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge)POCSO Act) in connection with Kishanganj Mahila PS Case No. 32 of 2016 (Special Case No. 14 of 2016).

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(Arun Kumar, J.)

