

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49918 of 2018

Arising Out of PS. Case No.-111 Year-2018 Thana- AAJAM NAGAR District- Katihar

Md. Shahid S/o Ashraful , R/o Mangoi, P.S.- Azamnagar, Distt.- Katihar..

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-10-2018 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in Azamnagar (Salmari) P. S. Case No. 111 of 2018 instituted for the offence under Section(s) 376 Indian Penal Code.

Learned counsel for the petitioner has submitted that victim girl is a minor. The statement of the victim girl has been recorded U/s 164 Cr.P.C. wherein the girl has stated her age to be 20 years. The Court has assessed her age to be 18 years.

It is alleged in the written report that this petitioner committed illegal act with the informant on 20.2.18 at 2 AM in the night and thereafter continued to establish physical relationship on the pretext of performing marriage. But finally he refused to perform marriage. Petitioner is ready to perform



marriage with the informant. It has further been submitted that no rape has been committed rather the relationship was with consent of the informant.

The petitioner is in custody since 17.5.2018.

Considering the aforesaid, let the petitioner, above named, 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 the CJM Katihar, in connection with Azamnagar (Salmari) P. S. Case No. 111 of 2018 subject to the condition that both the bailers shall be the close relative of the petitioner.

(Sanjay Priya, J)

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