

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51311 of 2018

Arising Out of PS. Case No.-60 Year-2018 Thana- AMAUR District- Purnia

Surendra Rishi S/o Late Ghuran Rishi, R/o Vill.- Nahar Kol, P.S.- Amour,
District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

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

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-09-2018 Heard learned counsel for the petitioner,, learned APP
for the State and the informant.

The petitioner seeks bail in Special case (POCSO)
Act no. 44 of 2018/CIS No. 44 of 2018 Amour P. S. Case No.
60 of 2018 instituted for the offence under Section(s) 363,
366A/34 Indian Penal Code and Section 4/6 POCSO Act.

Learned counsel for the petitioner has submitted that
the victim girl has given her statement under Section 164
Cr.P.C., wherein, she has stated that she was in love affair with
petitioner and she has already performed marriage with
petitioner. She has stated her age to be 19 years. The Court has
assessed her age to be 16 years.

Learned counsel for the informant has appeared and
opposed the prayer for bail. He has submitted that girl is minor.



In the medical examination her age was found to be 14 years.

Learned counsel for the petitioner has submitted that police has completed the investigation and charge sheet has been submitted under Section 9 of the Child Marriage Act against the petitioner.

Petitioner is in custody since 19.4.2018.

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 Special judge POCSO Act, Purnea in connection with Special case (POCSO) Act no. 44 of 2018/CIS No. 44 of 2018 Amour P. S. Case No. 60 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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