

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10435 of 2018

Arising Out of PS. Case No.-139 Year-2017 Thana- BAUSI District- Purnia

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Md. Ijhar @ Azhar Ali S/o Md. Wazit , R/o Choncha, P.S.- Baisi, District-
Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abdul Haque @ Abdul Hakim @ Hakim son of late Aainul Haque resident
of village Sripur P.S. Baisi Dist. Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Singh

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 11-04-2018 Heard learned counsel for the petitioner and learned APP for
the State.

Petitioner apprehends his arrest in Baisi P.S. case no. 139 of
2017 instituted for the offence under Section(s) 366 and 376 of the
Indian Penal Code.

In the written report it is alleged that this petitioner committed
illegal act with the daughter of the informant aged 18 years on the
pretext of performing marriage with her.

Learned counsel for the informant has appeared and submitted
that both the petitioner and victim girl has performed marriage and
they are living as husband and wife. In terms of the order of this
Court dated 10.4.2018 both are present in Court physically. The
father of the victim girl is also present in Court. They have also
stated that both have performed marriage and living as husband and



wife. The victim girl stated her age to be 19 years.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Special case no. 61/17 arising out of Baisi P.S. case no. 139 of 2017, he shall be released on anticipatory 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 (POCSO), Purnea, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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