

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44757 of 2018

Arising Out of PS.Case No. -46 Year- 2017 Thana -MAHILA P.S. District- SITAMARHI

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1. Md. Saddam @ Saddam Ryne S/o Md. Islam, R/o Vill.- Parsauni,
Melwar , P.S.- Parsauni, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-08-2018 Heard learned counsel for the petitioner as well as the

State.

The petitioner apprehends his arrest in Sitamarhi Mahila P.S. Case No. 46/2017, instituted for the offences punishable under Sections 376 and 506/34 of the Indian Penal Code read with Sections 4 and 6 of the POCSO Act.

It is alleged in the written report that this petitioner has committed illegal act with the informant continuously for seven months.

Learned counsel for the petitioner has submitted that now the matter has been compromised and marriage has also taken place between petitioner and informant. The compromise petition is enclosed as Annexure-2 to the bail petition. The marriage invitation card with regard to the marriage



of the petitioner with the victim girl is also annexed as Annexure-3.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Sitamarhi Mahila P.S. Case No. 46/2017, 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 Additional Sessions Judge 1st-cum-Special Judge (POCSO Act), Sitamarhi, subject to the conditions as laid down under Section 438(2) of the 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 tamper 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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