

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59082 of 2018

Arising Out of PS. Case No.-116 Year-2018 Thana- BARSOI District- Katihar

Md. Barkat @ Barkat Alam s/o late Hasibul @ Havibur Rahman, r/v- Kota,
P.S.-Barsoi, District - Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Najeeb Ahmad, Adv.
For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-11-2018 Heard learned counsel for the petitioner, counsel for
the informant and learned A.P.P. for the State.

The petitioner seeks regular bail in Barsoi P.S. Case
No. 116/2018, instituted for the offences punishable under
Sections 376, 379, 504, 506 and 34 of the Indian Penal Code.

Counsel for the petitioner has submitted that
Informant is a major lady. She has given her age in statement
under Section 164 Cr.P.C. as 19 years. The court has assessed
her age to be 18 years. She has stated in her statement under
Section 164 Cr.P.C. that she was in love with this petitioner. He
did not perform marriage with her.

Counsel for the informant has submitted that this
petitioner has enticed the informant on the pretext of marriage.



The victim girl has been medically examined. The doctor has found her age between 16 to 17 years. The statement of the victim recorded under Section 164 Cr.P.C. is enclosed as Annexure-3, wherein the girl has clearly stated that she was in love with the petitioner for the last two years. Therefore, no force is applied against the informant.

Considering the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above-named, 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 learned Additional Chief Judicial Magistrate Ist, Katihar in connection with Barsoi P.S. Case No. 116/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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