

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47902 of 2018

Arising Out of PS.Case No. -16 Year- 2018 Thana -MAHILA PS District- EASTCHAMPARAN
(MOTIHARI)

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Shantanu Kumar Gain @ Chhotu, Son of Late Ravindra Gain @ Ravindra Nath Gain, Resident of Village- Bangali Colony, Gali No. P.S.- Chhatauni, District- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-08-2018 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Motihari Mahila P.S.Case No. 16 of 2018 registered for the offences punishable under Sections 341, 342, 323, 354A, 493, 496, 376 of the Indian Penal Code and Sections 4 & 6 of POCSO Act.

Allegation against the petitioner is of committing rape upon the minor daughter of the informant.

Submission of learned counsel for the petitioner is that petitioner has married the girl and both are living together.

Heard learned APP and learned counsel for the informant, who has also supported the submission of learned



counsel for the petitioner.

Having heard both sides and in the facts and circumstances, this application is disposed of with a direction to the petitioner to surrender within a period of six weeks from the receipt of this order and on that day the informant shall also be present in court and learned court below will enquire from the informant as to whether petitioner has married her or not and if the fact of marriage is found to be true, the learned court below will release the petitioner on bail to its own satisfaction, otherwise he may pass any appropriate order as he may deem fit and proper.

(Vinod Kumar Sinha, J)

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