

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17653 of 2018

Arising Out of PS. Case No.-216 Year-2017 Thana- MAHNAR District- Vaishali

Md. Ali Dilshan @ Inter @ Md. Ali Hilashan, Son of Md. Wakil Mian @
Md. Ali Husain, Resident of Village- Lawapur, P.S.- Mahnar, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kumar

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 15-05-2018 Heard learned counsels for the petitioner and the State.

The petitioner, in custody since 24.05.2017, seeks bail in connection with Mahnar P.S.Case No. 216 of 2017 registered under Sections 323,376 and 506 of the Indian penal Code and Section 4 of the Protection of Children from Sexual Offences Act.

Allegation in brief is that petitioner used to establish sexual relationship with prosecutrix, minor daughter of the informant, on false promise of marriage.

Submission is that girl is not minor rather major as the Medical Board has assessed her age 19 years and it was a consensual relationship.

Whereas learned counsel for the State submits that girl is minor.



Having considered the aforesaid facts and circumstances, the petitioner, namely, Md. Ali Dilshan @ Inter @ Md. Ali Hilashan is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1st -cum- Special Judge, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 216 of 2017 with condition that one of the bailor must be his close family member. Petitioner shall remain physically present on each and every date during trial and in case of failure on two consecutive dates without any reasonable cause, his bail bond shall be liable to be cancelled.

(Arun Kumar, J)

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