

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16847 of 2019

Arising Out of PS. Case No.-158 Year-2018 Thana- KURSAILA District- Katihar

MD. MUNNA ANSARI Son of Md. Sajim Ansari @ Sajim Ansari Resident
of Village - Devipur, P.S.- Kursela, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha
For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Kursela
P.S. Case No. 158 of 2018 instituted for the offence under
Section(s) 376/34 of the Indian Penal Code and Section 4 of
POCSO Act.

Learned counsel for petitioner has submitted that the
victim girl has been examined medically. The doctor has found
no marks of injury in or around her private part. Medical report
has been enclosed as Annexure-3. It is further submitted that
victim has given her statement under Section 164 Cr.P.C. which
is enclosed as Annexure-2, wherein, she has stated that this
petitioner has established physical relationship with her 3-4
times on the assurance of marriage.



It is alleged that on 24.08.2018 at 4 pm, he had caught the informant with intention to establish physical relationship but her mother arrived and then this petitioner managed to run away. In this manner from written report, it appears that she was knowing the petitioner.

The doctor has opined in the medical report the age of victim girl between 15 to 16 years. He found no mark of injury and no spermatozoa on her private part.

Petitioner is in custody since 23.11.2018.

Considering the aforesaid, let the petitioner, above named, be released on 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 Addl. Sessions Judge cum Special Judge, Katihar in connection with Kursela P.S. Case No. 158 of 2018 corresponding to G.R. No. 4056 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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