

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77579 of 2018

Arising Out of PS. Case No.-243 Year-2014 Thana- MAHUA District- Vaishali

Md. Danish S/o Md. Jahangir, R/o Vill.- Hassanpur Osti, P.S.- Mahua,
District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate.

For the Opposite Party/s : Smt. Gulnar Begam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in Mahua P.S. Case No.
243 of 2014 instituted for the offence under Sections 341, 323,
363, 336(A), 376 of the Indian Penal Code, Sections 4, 8, 10
and 18 of POCSO Act.

In the written report it is alleged that daughter of the
informant was kidnapped by the petitioner and other two
accused persons.

From the impugned order it appears that victim girl
after recovery has given statement under Section 164 Cr. P.C.
before the Magistrate. The Magistrate has assessed the age of
victim as 16 years. The victim girl has disclosed the name of
petitioner levelling allegation of committing rape with her.



The Medical report has been enclosed as Annexure-2 wherein the Doctor has found no external injury either on her body or on her private part. The Doctor has assessed her age between 16-16 ½ years.

Counsel for the petitioner submits that petitioner has no criminal antecedent. Compromise petition has been filed in the court below, copy of which has been enclosed as Annexure-3 series.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. 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 learned Additional Sessions Judge-I, Vaishali at Hajipur, in connection with Mahua P.S. Case No. 243 of 2014, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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