

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36961 of 2019

Arising Out of PS. Case No.-52 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

SANTOSH SHARMA @ SANTOSH KUMAR SHARMA Son of Hiralal
Sharma Resident of Village - Ganeshpur, Tinpuliya, P.S.- Jagdishpur, Distt.-
Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 24-07-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Mahila P.S. Case No.
52/2018, instituted for offence under Section(s) 376(3), 313,
323, 341, 504, 506 and 34 of the Indian Penal Code read with
Section 4 of POCSO Act.

It is alleged in the written report that informant had
gone to Basukinath Dham for worship and her daughter was
alone in house. When she returned to house her daughter
complained that petitioner had committed rape with her. It is
alleged that daughter of informant became pregnant of five
months. Petitioner got married with the daughter of informant
and took her to his house but due to misbehaviour of parents of



petitioner, he brought her to her Maika. Informant tried to compromise the matter but parents of petitioner did not agree for the same. Thereafter the instant case has been lodged.

From the written report it appears that marriage has already been solemnized between petitioner and daughter of informant. The case has been filed because daughter of informant is facing trouble in leading conjugal life with petitioner.

Petitioner is in custody since 15.09.2018.

Keeping in view the period of custody spent by petitioner, prayer of the petitioner for grant of bail 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 the learned 1st Addl. District & Sessions Judge-cum-Spl. Judge, POCSO, Bhagalpur, in connection with Mahila P.S. Case No. 52/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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