

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31825 of 2019

Arising Out of PS. Case No.-95 Year-2018 Thana- MAHILA PS District- Jamui

RIZWAN ANSARI Son of Idrish Mian Resident of Village - Noniyatari, P.S.-
Chandramandih, District – Jamui ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Pranav Kumar Jha, Advocate
For the State : Mr. Nawal Kishore Prasad, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-07-2019 Heard learned counsel for the petitioner, learned counsel for the State and the informant.

Petitioner apprehends his arrest in a case registered for the offences punishable under Sections 376 and 315 of the Indian Penal Code, Sections 34 of the POCSO Act and Section 66E of the IT Act.

Informant alleges that taking advantage of absence of her parents from the house, petitioner entered into her house and committed rape and took objectionable photographs. Petitioner continued the offence for two years and once he terminated her pregnancy at his own level.

Learned counsel for the petitioner submits that the parties have compromised the matter as per Annexure 3 and have decided not to contest this case. He further submits that the petitioner is ready to marry the victim, which is not disputed by counsel for the informant.

Learned counsel for the informant submits that as per Section 164 Cr.P.C. statement of the victim (Annexure 2), the petitioner was in physical relation with the informant for two years on the pretext of performing marriage with her as a result



of which she became pregnant.

In view of the submission made at the bar and agreed by counsel of both parties that the petitioner will perform marriage with the victim Samina Khatoon, let the petitioner as named above, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, 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 Additional Sessions Judge-I-cum Special Judge, Jamui in Jamui Mahila Police Station Case No. 95 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Singh, J)

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