

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35454 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- JAMALPUR District- Munger

Md. Shamsheer Alam @ Shamsheer Alam, aged about 54 years, Male, Son of
Md. Rashid, Resident of Sujawalpur, P.S.-Mufassil, District-Munger.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Sinha, Adv.

For the Opposite Party : Ms. Nirmala Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

6 20-11-2019 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State as well as learned
counsel appearing for the Informant.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 366(A) of the
Indian Penal Code and Section 8 of POCSO Act.

Admittedly, the victim returned and her statement was
recorded under Section 164 of the CrPC and in the said
statement, she, specifically, stated that she left her home by her
own sweet will and solemnized her marriage with Md. Sanohar,
who happens to be son of the petitioner.

Learned counsel appearing for the informant submits
that at the time of alleged occurrence, the victim was minor and



therefore, even if, she gave her consent for the marriage, then also, her consent was not valid.

Considering the aforesaid submissions of the parties as well as facts and circumstances of the case and also taking note of this fact that the petitioner is in jail custody since 05.04.2019, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (POCSO Act)-cum-Additional Sessions Judge-1st, Munger in connection with Jamalpur P. S. Case No. 43 of 2019.

(Hemant Kumar Srivastava, J)

Rajeev Kumar/-

U		T	
---	--	---	--

