

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48431 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- MAHILA PS District- Jehanabad

SHANKAR YADAV Son of Badri Yadav Resident of Village- Totapur, Police
Station- Kako Bhelwar OP, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhuri Kumari

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-11-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Jehanabad Mahila P.S.Case No.11 of 2019 , registered for
offences punishable under Sections 376 of the Indian Penal
Code and Section 4 of the POCSO Act.

As per FIR, the petitioner has physical relationship with
the daughter of the informant and later on he refused to keep
her .

Submission of the learned counsel for the petitioner is
that Medical Board discloses her age between 17-18 years and
FIR also disclosed that she is a consensual party as such no case
is made out under Section 376 of the IPC and under Section 4
of the POCSO Act.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ -I, Jehanabad in connection with Jehanabad Mahila P.S.Case No.11 of 2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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