

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60313 of 2019

Arising Out of PS. Case No.-63 Year-2019 Thana- AAJAM NAGAR District- Katihar

Sahmud @ Mukhiya Son of Md. Jakir R/O - Basagaon, P.S.- Azamnagar,
District- Katihar Petitioner

Versus

The State of Bihar Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Amarendra Prasad

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 18-12-2019 Heard learned Counsel for the petitioners and the learned
APP for the State as also the learned Counsel for the informant.

The petitioner seeks bail in Azamnagar PS Case No. 63
of 2019 registered under Sections 376, 366A/34 of the IPC and
Section 4 of Pocso Act.

Counsel for the petitioner submits that it is actually a
case of elopement. On the pressure of the family the victim has given
statement under Section 164 Cr.P.C. which is at variance with her
deposition recorded under Section 161 Cr.P.C. where she had stated
about love affairs between the petitioner and herself.

Learned Counsel for the informant and the APP have
opposed the prayer by submitting that in the statement under Section
164 the victim has supported the factum of abduction and forceable
intercourse over a period of 25 days at Haryana.

Considering the rival submissions this Court for the
present is not inclined to grant the benefit of bail to the petitioner.

The prayer is rejected.

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(Madhuresh Prasad, J)

