

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77619 of 2018

Arising Out of PS. Case No.-229 Year-2018 Thana- BAKHTIYARPUR District- Patna

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Krishna Raj S/o Meghnath Rai, R/o Vill.- Chamrara Daradpur, P.S.- Mahanar,
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Sri Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-01-2019 Petitioner seeks bail in Spl. Case No.78/2018 arising out of Bakhtiyarpur P.S. Case No. 229/2018 registered for the offence punishable under Sections 366 A of the Indian Penal Code and Sections 9, 10 and 11 of the Prohibition of Child Marriage Act, 2006 as well as Section 12 of the POCSO Act.

Informant is a Police Offricer who has stated that on information received by him, he reached the temple and found that two minors have solemnized marriage and on asking them they disclosed their age as 20 years. However, they were arrested for solemnizing the marriage while they were minors.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case. It has further been submitted that statement of victim has been recorded under



Section 164 Cr.P.C. in which she has stated that she had married the petitioner with her own volition and sweet will. Petitioner has no criminal antecedent and he is in custody since 02.05.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Spl. Judge POCSO, Patna-cum-A.D.J.-I, Patna in connection with Spl. Case No.78/2018 arising out of Bakhityarpur P.S. Case No. 229/2018 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution



will be at liberty to move for cancellation of bail of
the petitioner.

(S. Kumar, J)

Sanjay/-

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