

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73265 of 2019

Arising Out of PS. Case No.-56 Year-2019 Thana- MAHILA P.S. District- Araria

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SUMAN PASWAN @ SUMAN KUMAR @ SUMAN KUMAR PASWAN
Son of Tetar Paswan Resident of Village - Baijnathpur Ward No. 5, P.S.-
Araria R.S., District- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Yadav

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-11-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Araria (Mahila) P.S.Case No.56/19 registered for offences punishable under Sections 376, 504, 506, 447/34 and 4 of the POCSOAct.

As per the FIR, petitioner put *Sindur* on the head of the daughter of the informant , who is aged about 14 years and have physical relationship with her and she when became pregnant, the informant approached the family members of the petitioner, they became annoyed and ready to assault the whole family members.

Submission of the learned counsel for the petitioner is that it is a case of marital relationship between the parties,



which will appear from the statement under Section 164 Cr.P.C.

On the other hand the learned counsel for the informant has opposed the prayer for bail on the ground that the girl is aged about 14 years and her consent is no consent .

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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