

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15020 of 2020

Arising Out of PS. Case No.-296 Year-2019 Thana- SABAUR District- Bhagalpur

Md. Isahaq Natu @ Md. Isak S/o Late Md. Shobha Resident of Village-Salpur, P.S.- Goradih, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Gupta
For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 03-07-2020 Heard learned counsel for the petitioner as well as learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in Sabour (Goradih) P.S. Case No. 296 of 2019 registered for the offence under Sections 376, 420, 34 of the Indian Penal Code and Sections 4, 6 of POCSO Act, 2012.

In the F.I.R., the informant, who is minor girl aged about 15 years, has alleged that co-accused Md. Ibran, on assurance of marriage, has repeatedly committed rape with her, due to which, she became pregnant. It is further alleged that when informant put pressure on Md. Ibran for marriage, he replied that after the birth of her child he will marry with her, but even after 15 days of birth of her child, he did not solemnise marriage with informant. Petitioner is father of co-accused Md. Ibran.



It is submitted on behalf of petitioner that petitioner, who is aged about 77 years, is innocent and has committed no offence. The entire allegation is against co-accused Md. Ibran, but since petitioner is father of Md. Ibran, he has also been implicated in the present case. Petitioner has clean antecedent.

Considering the aforesaid facts and circumstances, the anticipatory bail application is allowed.

In the event of arrest or surrender within a period of six weeks from today, let the above-named petitioner be enlarged 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 Addl. District & Sessions Judge-I cum Special Judge, POCSO Act, Bhagalpur in connection with Sabour (Goradih) P.S. Case No. 296 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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