

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31324 of 2020

Arising Out of PS. Case No.-36 Year-2020 Thana- AMDABAD District- Katihar

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Md. Samir, aged about 20 years, male, S/o Manjoor Alam, Resident of
Village- Sabdar Tola, Bable Banna, P.S.- Amdabad, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 01-12-2020 Heard Mr. Bhola Prasad, learned counsel for the

petitioner and Mr. Ajay Kumar No. 2, learned APP for the

State.

The petitioner seeks bail in connection with
Amdabad P.S. Case No. 36 of 2020, dated 10.02.2020,
instituted for the offences under Sections 341, 323, 376,
504 and 506/34 of the Indian Penal Code.

Though the petitioner is alleged to have ravished



the prosecutrix, but her statement under Section 164 Cr.P.C. belies the prosecution version.

From a bare reading of the statement of the victim girl recorded under Section 164 Cr.P.C., it would appear that the petitioner and the victim had married, but the petitioner wanted to run out of the matrimonial relationship. The victim has stated that she wants to marry the petitioner.

The medical report of the victim has been annexed with this application in order to demonstrate her majority.

Regard being had to the nature of accusation, the statement of the victim girl recorded under Section 164 Cr.P.C. and the period of custody of the petitioner, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Katihar in connection with Amdabad P.S. Case No. 36 of 2020.

(Ashutosh Kumar, J)

Praveen-II/-

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