

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54589 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- MAHILA P.S District- West Champaran

Hasan Mian Son of Ahmad Mian @ Ahmad Ali Resident of Village -
Packwalia Bazar, P.S.- Semra, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Advocate.

For the Opposite Party/s : Mr.Dashrath Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 21-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offence punishable under Sections 323, 376, 504, 506, 307 and
120(B) of the Indian Penal Code.

Complaint based allegation would reveal that the
complainant aged about 20 years was made to believe that the
petitioner would marry with her and thereafter both were in
physical relation. Later on marriage could not be solemnized.

Submission is that the victim is major girl and the
relationship was with consent of the victim. None solemnization
of the marriage may be for different reasons.

Considering the fact that the consent of the victim was
not there by putting her under fear of injury or under



misconception of fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Mahila P.S. Case No. 28 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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