

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23701 of 2020

Arising Out of PS. Case No.-301 Year-2019 Thana- CHHATAPUR District- Supaul

Md. Afgan, aged about 20 years, Male, Son of Aphroj Alam @ Md. Afroj @ Afroj, Resident of Village - Rajwara, Police Station - Chhatapur, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arun, Advocate
For the State	:	Mr.Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 27-01-2021 Learned counsel for the petitioner has filed supplementary affidavit in the present case, which is kept on record.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Chhatapur P.S. Case No. 301 of 2019 registered for the offences punishable under Sections 366A, 120B/34 of the Indian Penal Code.

The F.I.R. has been lodged against five named accused persons and some unknown persons. The petitioner is named in the F.I.R. 15 years old minor sister of the informant is alleged to have become traceless, after she left the home. It is in these circumstances that the F.I.R. has been lodged. The girl has subsequently been recovered on 17.12.2019.



Learned counsel for the petitioner submits that statement of the alleged victim girl has been recorded under Section 164 Cr.P.C. In her statement, she has disclosed her age to be 16 years, which is at variance with the allegations made in the F.I.R. Learned counsel for the petitioner further submits that the petitioner with whom she had intimate relation. It is further submitted that from perusal of Annexure-2, it is apparent tht the victim admits to be residing with the petitioner for quite some time without any objection.

Learned A.P.P. for the State opposed the bail petition and submits that the victim is minor. The medical report shows that the victim is aged about 15-17 years..

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail after framing of charge on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned C.J.M., Supaul in connection with Chhatapur P.S. Case No. 301 of 2019.

(Anjani Kumar Sharan, J)

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