

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24511 of 2022**

Arising Out of PS. Case No.-2 Year-2022 Thana- MAHILA P.S BAGHA District- West
Champaran

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Samsul Hoda Ansari @ Samsul Ansari @ Samsul Alam Son Of Jakir Ansari
R/O Village- Vairaganj, P.S.- Vairoganj, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-08-2022 Heard Mr. Bimlesh Kumar Pandey, learned counsel

appearing on behalf of the petitioner and Md. Arif learned APP

of the state.

Petitioner seeks for grant of bail who is in custody in
connection with Bagaha Mahila P.S. Case No. 02 of 2022,
registered for the offences punishable under sections 376, 504,
506 of 34 of Indian Penal Code and under section 4 and 8 of
protection of children from sexual offences.

As per prosecution case based on a written report
alleging therein that on the protect of marriage the son of the
petitioner had established physical relationship and when on
06.12.2021 when the boy and girl where caught in a
compromising the position his family members of the petitioner



executive before the police station however later on they refuse to solemnize the marriage.

Learned counsel appearing on behalf of the petitioner submits that from the F.I.R it appears that was a love affair in between boy and girl only because of this petitioner being father of the Jisan Alam has been implicated in this case only when view to prescribed them in order to solemnize the marriage. It is next submitted that now to marriage of the informants daughter has been solemnized the son of the petitioner on 08.04.2022 and the dispute has been medically settled. It is next submitted even as the prosecution no case either under section 375 of the Indian Penal Code or section 4 and 8 of the POCSO Act. It is made out against this petitioner. It is next submitted that this petitioner having fair antecedent and he is in custody since 04.07.2022 though after the conclusion of the charge-sheet has been submitted.

On the other hand, the learned counsel for the state opposes the bail application and submits that the petitioner is named in the F.I.R and allegation has been leveled against him.

Having regard to the submissions made on behalf of the parties and considering the fact that the petitioner happens to be the father of the Jisan Alam against whom the specific



allegation of establishing physical relationship has been leveled
and moreover, the boy and girl solemnized but marriage made
the petitioner released on bail on furnishing bail bond of Rs.
10,000/-(Ten Thousand) with two sureties.

(Harish Kumar, J)

N.K/-

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