

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48053 of 2023

Arising Out of PS. Case No.-60 Year-2022 Thana- MAHILA P.S. District- Araria

1. Md. Jaffar Son of Late Md. Mobin @ Late Molvi Mobin Residence of village - Bokra Ward No.- 8, P.S.- Simraha, District - Araria
2. Ala Makhtoor @ Alam Bakhtoor Son of Late Nazamuddin Residence of village - Doria Sonapur, P.S.- Simraha, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Imtiyaz Hussain, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-09-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 11 of the Prohibition of Child Marriage Act.

3. As per prosecution case, all the F.I.R. named accused persons including this petitioner forcibly solemnized marriage of one Sabbo Khatoon, aged about 15 years, to a 65 year old man in presence of the mother of the victim.

4. It is submitted that petitioners have falsely been implicated in the present case due to personal grudge. From perusal of the F.I.R. it is apparent that marriage was solemnized



on 18.10.2022 and the F.I.R. was lodged after delay of inordinate delay of two months. Moreover, after verification of the Aadhaar Card of the victim, her age was declared as 22 years and there is no medical proof of her age on the record.

5. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sessions Judge, Araria in connection with Araria (Forbisganj) Mahila P. S. Case No. 60 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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