

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8644 of 2024

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

Md. Mojamnil @ Mojamil S/O Late Jabul Village- Doria, Sonapur, Ward No.
09, Near Masjid Road, Ps.- Forbesganj (SIMRAHA), Dist. Araria.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha

For the Opposite Party/s : Mr.Atul Chandra

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Araria Mahila P.S. Case No. 60 of 2022, dated 15.12.2022, registered for the offences punishable under Section 11 of Child Marriage Act, 2016.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have got the marriage of Sabbo Khatoon aged about 15 years solemnized in presence of her mother.

4. Learned counsel for the petitioner has submitted



that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in Para 3 of the bail petition. From perusal of the F.I.R., it appears that marriage was solemnized on 18.10.2022 and the F.I.R. was lodged after inordinate delay of two months. Moreover, after verification of Aadhaar Card of the victim, her age was declared as 22 years and there is no medical proof of her age on the record. There is general and omnibus allegation against the petitioner. Similarly situated co-accused persons have been granted anticipatory bail by coordinate Bench of this Court vide order dated 22.09.2023 passed in Cr. Misc. No. 48053/2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Araria Mahila P.S. Case No. 60 of 2022, subject to conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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