

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14930 of 2024

Arising Out of PS. Case No.-125 Year-2023 Thana- JALALGARH District- Purnia

Md. Irshad Khalifa @ Md. Irshad Son of Md. Zahangir Resident of Kathaili,
P.S.- Jalalgarh District- Purnea. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Jalalgarh P.S. Case No. 125 of 2023 dated 06.07.2023, instituted for the offence punishable under Sections 376 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

3. The prosecution case, in short, is that the petitioner was continuously raping the daughter of the informant since last four months and when informant got knowledge of the same, he went to the petitioner's house where his parents promised to solemnize the marriage of their son with the daughter of the informant but later on they refused to do so.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner and the victim



were in love with each other. It is further stated that the victim girl was medically examined and the doctor has assessed her age between 18 to 20 years and no sign of sexual assault was found on the body of victim. It is further stated that both the persons were major and they were in intimate relationship for the last four months due to their love and affection against each other. Lastly, it has been submitted that the petitioner is in custody since 02.11.2023 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Additional Sessions Judge, Cum Special Judge (POCSO) Purnea in Jalalgarh P.S. Case No. 125 of 2023.

(Khatim Reza, J)

Sankalp/-

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