

**M.Cr.C.No.1267/2012**

**29.02.2012.**

Shri R.R.Bhatnagar, learned counsel for the petitioner.

Shri Anil Ojha, learned Panel Lawyer for respondent/State.

This is first application for grant of bail under Section 439 Cr.P.C. in connection with Crime No.16/2012, registered at Police Station Bilpank, for offence under Sections 363, 366 and 376 of IPC.

From the birth certificate relied upon by the prosecution, where the age of the prosecutrix has been shown as June 7, 1995 and also as per the ossification test, the age of the petitioner at the relevant time was about 16 ½ years. An affidavit has been filed by the prosecutrix stating therein that her age was 20 years and that she has married with the petitioner and infact, she has also a child from the petitioner.

In these circumstances, the application is allowed. It is directed that the petitioner shall be released on bail on his furnishing bail bond in the sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the trial Court.

C.C.as per rules.

**(M.C.GARG, J)**

RJ/