

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25244 of 2015

Arising Out of PS.Case No. -2 Year- 2015 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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1. Vikash Kumar @ Deepak Kumar @ Abhishek Kumar Son of Sudhir
Kumar Singh resident of village - Nama Purvi, Police Station - Bodh -
Gaya, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. T.P.Mandal (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 26-08-2015 Heard learned counsel for petitioner and
learned Additional Public Prosecutor for the State.

The statement of the victim was recorded u/S 164 of
the Code of Criminal Procedure, in which, she has stated
about involvement of the petitioner in the alleged crime but
submission on behalf of the petitioner is that the statement
of the victim, recorded u/S 164 of the Code of Criminal
Procedure is a tutored statement and she herself made
contradictory statements. It is further contended by him that
the informant has admitted in his written report that the
victim was aged about 19 years at the time of alleged
occurrence though the victim disclosed her age as 16 years

whereas; the learned Magistrate assessed the age of the victim as 17 years.

Moreover, taking into consideration the facts and circumstances of the case as well as period of detention of the petitioner in jail custody, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Magadh Medical P.S. Case No. 02 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Gaya.

(Hemant Kumar Srivastava, J)

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