

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22959 of 2015

Arising Out of PS.Case No. -54 Year- 2015 Thana -PARWATTA District- KHAGARIA

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1. Ranveer Yadav son of- Shri Naresh Yadav, resident of village- Thebhay,
P.O.- Kolwara, P.S. Parwatta, District- Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Smt. Sudha Ambastha

For the Opposite Party/s Mr. R.P.S. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 10.07.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Parbatta
(Bharatkhand) P. S. case no. 54/2015 registered under sections 365
and 366A of the Indian Penal Code.

Victim has very, specifically, stated in her statement
recorded under section 164 of the Cr.P.C that she has solemnized her
marriage with the petitioner and she was never kidnapped by the
petitioner. The age of the victim was assessed by learned Magistrate
as 18 years whereas she disclosed her age as 20 years.

It would appear from perusal of the impugned order that
learned Sessions Judge rejected anticipatory bail petition of the
petitioner taking note of report of medical board regarding age of the
victim.

It appears that the medical board found the victim between

16 to 17 years. However, learned Sessions Judge did not consider this fact that assessment of age of the victim girl by the medical board was only an opinion. Moreover, if the report of the medical board in respect of age of the victim is taken into consideration, then also, victim is about to attend majority.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria in Parbatta (Bharatkhand) P. S. case no. 54/2015 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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