

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29606 of 2014

Arising Out of PS.Case No. -414 Year- 2013 Thana -KOTWALI District- MUNGER

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1. Aman @ Aman Thakur @ Bittu Kumar Son of Suresh Thakur Resident
of Mohalla - Rampur, Bhikari, P.S.- Kotwlali, District - Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. Rajendra Singh Shastri(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 05-02-2015

Heard learned counsels for the petitioner,

informant, victim and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 363,366A and 120B of the Indian Penal Code.

The accusation is of enticing away the grand daughter of the informant.

In 164 Cr.P.C. statement though the victim girl got her age recorded as 17 years whereas the court assessed her age as 16 years but she has stated that she got unconscious after something being offered by this petitioner and when she regained consciousness, she found that she is married. The petitioner also established physical relationship with the victim as she fell in love with the petitioner.

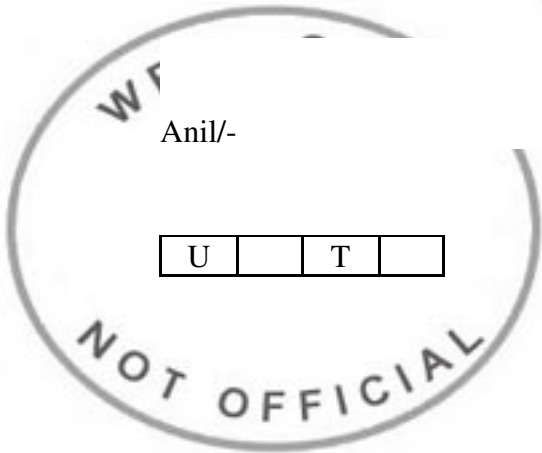
It is submitted by learned counsel for the petitioner that the medical board's report itself suggests no injury when the age of the victim has been assessed between 17-18 years. It is also submitted that at present the victim is carrying advance stage of pregnancy. The victim has also lodged Complaint Case No. 1139 C of 2013 against her family members and at present she is residing with the petitioner.

It is submitted by learned counsel for the informant that the victim was minor on the alleged date of occurrence, hence, her statement carries no value.

The victim has also appeared through lawyer who submits that she is carrying pregnancy and wants to reside with the petitioner.

Considering the 164 Cr.P.C. statement of the victim and her present stand, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Munger in connection with Kotwali P.S. Case No.414 of 2013 subject

to the conditions as laid down under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)