

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53966 of 2015

Arising Out of PS.Case No. -79 Year- 2015 Thana -THARTHARI District- NALANDA
(BIHARSHARIFF)

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1. Dhananjay Manjhi son of Mahendra Manjhi Resident of Village-
Amraura, Police Station -tharthari, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Rajiv Nayan(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 27-11-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 366A/34 of the Indian
Penal Code.

The accusation is of abducting the minor daughter of the
informant.

It is submitted by the learned counsel for the petitioner
that in 164 Cr.P.C. statement the victim got her age recorded as 16
years when the court also assessed her age as 16 years whereas as
per medical opinion the age of victim has been assessed between
15 to 16 years. In 164 Cr.P.C. statement the victim stated that she
of her own went in the company of the petitioner to Rajgir. The

victim has not alleged any misbehaviour though the medical opinion suggests that the victim is habituated to sexual activities but no sign of recent sexual activity was found.

Considering the fact that the victim is approaching to majority and her statement to the effect that she was not kidnapped coupled with the statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent, 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 ACJM, Hilsa, Nalanda in connection with Tharthari P.S. Case No. 79 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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