

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7648 of 2015

Arising Out of PS.Case No. -452 Year- 2014 Thana -KHAGARIA District- KHAGARIA

1. Priti Kumari, D/o Jai Prakash Sah, W/o Sajjan Kumar Paswan, resident of
Village: Rani Sakarpura, P.S.: Gangour(O.P) , District: Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Law Department, Govt. of Bihar, Patna,
2. Superintendent of Women's Remand Home, Gaighat, Patna City, Patna,
3. Jai Prakash Sah, S/o Doman Sah, resident of Village: Balia, P.S: Balia, District:
Begusarai, at present village: Rani Sakarpura, P.S: Gangour, District: Khagaria.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 12-03-2015

1. The Petitioner seeks her release from the Remand Home, Gaighat, Patna, where she has been lodged in connection with Khagaria (Gangaur) P.S. Case No.452 of 2014/G.R.No.1550 of 2014.

2. The background facts is that a case was instituted for alleged kidnapping of the Petitioner. Subsequently, she appeared and gave her statement recorded under Section 164 Cr. P. C. that she had not been kidnapped and had married the main accused on her own sweet will. On the said date i.e. on 17.07.2014 the Court below assessed the age of the Petitioner to be about 16 years. Subsequently, she was medically examined by the Board of Doctors on the same day and the Medical Board opined that she was between 17-18 years of age.

3. In such circumstances, evidently now she is major and should not be kept any where against her wish.

4. In view of such, the Superintendent, Women's Remand Home, Gaighat, Patna, is directed to release the Petitioner forthwith as per the procedure. However, the Petitioner shall give an undertaking that she will appear before the Court concerned as and when she is summoned.

5. The application stands disposed off with the aforesaid observations.

6. Let this order be communicated to the Superintendent, Women's Remand Home, Gaighat, Patna, through FAX at the cost of the Petitioner.

(Anjana Prakash, J)

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