

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11662 of 2015

Arising Out of PS.Case No. -108 Year- 2014 Thana -DUMRA District- SITAMARHI

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1. Madan Kumar son of Dasai Mukhiya resident of Village - Rasalpur, Tole
- Mirchaiya, P.S. - Dumra, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Reena Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 26-03-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Dumra P.S. Case No. 108 of 2014 registered under Sections-
323, 363, 364(A), 366, 120(B) of the Indian Penal Code.

The victim has stated in her statement recorded u/S
164 of the Cr. P.C. that she voluntarily solemnized her marriage
with the petitioner as she was in love with him. The victim also
expressed her desire to go and live with the petitioner. The victim
disclosed her age before learned Magistrate as 20 years though the
learned Magistrate assessed her age as 16 years. Moreover, in
Medical Examination, the victim was found aged about between
18-19 years.

Learned Sessions Judge has committed error on record at paragraph-7 of the impugned order.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioner named above, in the event of his arrest or surrender within four weeks from the date of receipt/production of copy of the order in the court below, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Dumra P.S. Case No. 108 of 2014 to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi subject to the conditions as laid down u/S 438(2) of the Cr. P.C.

A.K.V./-

(Hemant Kumar Srivastava, J)

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