

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41819 of 2015

Arising Out of PS.Case No. -222 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

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Deepak Kumar Rajak @ Deepak Rajak

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Ataur Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 12-10-2015

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 prosecution case is of kidnapping the minor daughter of the informant.

It is submitted by the learned counsel for the petitioner that the victim in her 164 Cr.P.C. statement got her age recorded as 19 years when the court assessed her age as 16 years and as per the medical assessment she was found to be 15-17 years of age. In 164 Cr.P.C. statement the victim has stated that she of her own went to Tarapith along with the petitioner and performed marriage with him and spent there for ten to twelve days as husband and wife.

Considering the statement of the victim under

section 164 Cr.P.C., the age assessed by the doctor approaching majority and 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 JM Ist Class, Bhagalpur in connection with Kahalgaon P.S. Case No.222 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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