

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19991 of 2015

Arising Out of PS.Case No. -9 Year- 2015 Thana -LAUKHA District- MADHUBANI

=====

1. Laxman Prasad Gupta S/o Rameshwar Sah @ Rameshwar Pd. Gupta
Resident of Village Laukha, P.S. Laukha, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Saroj Kumar

For the Opposite Party/s : Mr. A.L. Pandit (App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 05-10-2015 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The statement of the victim girl was recorded under Section 164 Cr.P.C. in which she supported the story of kidnapping and also stated that on her call her father as well as police came at Deoghar from where she was taken and her statement under Section 164 Cr.P.C. was recorded, but paras 29 and 30 of the case diary reveal that the victim and petitioner were caught at Laukaha Railway Station. Furthermore, it would appear from some of the paragraphs of the case diary that the victim and the petitioner were in love.

The learned Magistrate, who recorded the statement of the victim girl, assessed her age as 14 years and the

Medical Board also found the victim between 14-15 years but learned counsel appearing for the petitioner drew my attention towards Annexure-6 to the petition and submits that in the Aadhar Card the date of birth of the victim has been entered as 18.1.1996 and therefore, the date of birth reveals that the victim was major at the time of alleged occurrence.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that the petitioner is in jail custody since 15.1.2015 and investigation against him has already been completed, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Laukaha P.S. Case No. 9/2015, G.R. No. 4/2015 to the satisfaction of the 1st Addl. Session Judge, Madhubani.

(Hemant Kumar Srivastava, J)

S.Pandey/-

U		T	
---	--	---	--